

SENATE BILL 2996
By Gilbert

AN ACT to amend Tennessee Code Annotated, Titles 39, 40, 41,
49, 56, 63, 68 and 71, relative to prescription drug abuse.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 10, Part 3, is amended by
adding the following as a new, appropriately designated section:

Section 63-10-3__.

(a) The pharmacy board shall track duplication of narcotics prescriptions
and/or multiple narcotics prescriptions to the same recipient or household filed
under third party prescription programs and shall keep records of such
prescriptions.

(b) The pharmacy board shall report instances of duplication and possible
abuse to the third party prescription program or to the bureau of TennCare within
fifteen (15) working days of discovery of such duplication and possible abuse.

(c) Upon such notification, in cases of a pattern or practice of abuse in the
TennCare program, the department of health shall withhold a percent of
capitation payment to the managed care organization to be determined to be
appropriate by the commissioner until such violations are corrected. Such
withholds may be appealed by a managed care organization pursuant to Title 4,
Chapter 5.

50000001

50000001

010534

01053417

(d) The commissioner of health is authorized to promulgate necessary rules and regulations to implement the provisions of this act.

SECTION 2. The pharmacy board shall report any incidence of such duplication and potential abuse by county to the Select Oversight Commission on TennCare and the Select Oversight Commission on Children and Youth.

SECTION 3. This act shall take effect July 1, 1998, the public welfare requiring it.