

SENATE BILL 1332

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 53  
and Title 63, relative to pharmacy practice.

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

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 10, Part 2, is amended by adding the following as a new, appropriately designated section:

63-10-216.

(a) Before a pharmacist or a pharmacy may dispense or deliver a prescription drug containing a Schedule II substance to a person, the pharmacist or pharmacy shall obtain a valid form of government-issued identification from the person who presents to take possession of the prescription. The pharmacist or pharmacy shall photocopy a valid form of government-issued identification and require the person to complete a form that includes the person's name, home address, telephone number, and relationship to the patient. The person picking up the prescription shall also provide a fingerprint to the pharmacy. The pharmacy shall electronically scan and store the image of the fingerprint for a period of two (2) years.

(b) A pharmacy is required to maintain a database of information and fingerprint images obtained from persons who have picked up the prescriptions of individuals for whom the pharmacist or pharmacy dispenses a prescription containing a Schedule II substance.

(c) Any information obtained pursuant to this section shall be confidential and shall not be a public record for the purposes of title 10, chapter 7, and shall only be made available pursuant to court order or to the board of pharmacy on request by the board. The board of pharmacy is authorized to promulgate rules and regulations to

effectuate the purposes of this section and such rules shall comply with relevant federal law, including the federal Health Insurance Portability and Accountability Act of 1996, compiled in 42 U.S.C. 1320d et. seq. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.