

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1466 - SB 1832

March 26, 2014

SUMMARY OF ORIGINAL BILL: Requires the presentment of a government issued photo identification prior to being prescribed any of the following drugs, if such prescription is for greater than a 7 day supply of any Schedule II - IV opioid, benzodiazepine, barbiturate, or carisoprodol. This requirement shall not be applicable to persons known personally by the pharmacist, pharmacy technician, pharmacy intern or designated clerk personally dispensing the medication.

After confirming the photograph belongs to the customer, the pharmacy is required to maintain a retrievable record of sale which includes the name, address, identification type, identification number, prescription number and initials or code of the pharmacist, pharmacy technician, pharmacy intern or designated clerk. Recorded data shall be noted, as appropriate, on the back of the original prescription, electronically, through use of a log book or photocopied identification. Such information shall be readily retrievable within 24 hours of such recording.

Requires out-of-state pharmacies, providing such drugs for greater than a 7-day supply to residents of this state, to require the courier to deliver the dispensed prescription to obtain the printed name and the signature of the person taking possession of the dispensed prescription from the courier. Requires dispensing professionals to exercise professional judgment when presented with a minor seeking any such drugs for greater than a 7-day supply.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (014364): Deletes all language after the enacting clause. Requires the presentment of a valid government issued identification, or public or private insurance card prior to being dispensed any of the following drugs, if such prescription is for greater than a 7 day supply of any Schedule II - IV opioid, benzodiazepine, zolpidem, barbiturate, or carisoprodol. This requirement shall not be applicable to persons known personally by the pharmacist, pharmacy technician, pharmacy intern or designated clerk personally dispensing the medication.

Requires dispensing professionals to exercise professional judgment when presented with a minor or homeless person seeking any such drugs for greater than a 7-day supply.

HB 1466 - SB 1832

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- This will have no significant effect on the policies and procedures of the Department of Health or the Board of Pharmacy.
- This will have no significant fiscal impact on state or local government.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Pharmacy had closing balances of \$85,209 in FY11-12, \$296,813 in FY12-13, and a closing reserve balance of \$1,226,220 on June 30, 2013.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

/jdb