

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2400 - SB 2547

March 26, 2014

SUMMARY OF ORIGINAL BILL: Requires the executive director of the Board of Pharmacy to consult with the Commissioner of Health when determining staffing of the controlled substance monitoring database.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (014965): Deletes all language after the enacting clause. Specifies amount of time a dispenser of controlled substances has, after dispensing any controlled substance, to submit required information to the Controlled Substance Monitoring Database (CSMD). Section 1 of this legislation amends subsection (b) of Tenn. Code Ann. § 53-10-305, effectively requiring a dispenser or dispenser's agent, except for veterinarians, to submit certain information into the CSMD by the close of business on the following business day. Section 2 states that it is not a violation if a good faith effort to submit the information was made but technical difficulties prohibited the report from being submitted and defines technical difficulties. Sections 1 and 2 have an effective date of January 1, 2016.

Section 3 deletes and rewrites subsection (b) in Tenn. Code Ann. § 53-10-305, requiring pharmacy dispensers, who utilize a computerized system to submit required information to the CSMD, to submit such information by the close of business on the following business day in a nationally recognized pharmacy telecommunications format standard. Section 4 states that it is not a violation if a good faith effort to submit the information was made but technical difficulties prohibited the report from being submitted and defines technical difficulties. Sections 3 and 4 have an effective date of July 1, 2016.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- This will have no significant impact on the Department of Health or the Board of Pharmacy.

HB 2400 - SB 2547

- 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.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jdb