

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2571 - SB 2552

March 14, 2016

SUMMARY OF ORIGINAL BILL: Makes various technical changes to the *Tennessee Prescription Safety Act of 2012*, thereby establishing the *Prescription Safety Act of 2016*. Deletes the sunset date of July 1, 2016 of the *Tennessee Prescription Safety Act of 2012*, making any changes made by such Act to the *Controlled Substance Monitoring Act of 2002* permanent, subject to any subsequent changes. Removes language which designates the Executive Director of the Board of Pharmacy as the database manager of the Controlled Substance Database Committee. Requires prescribers to enter information into the Controlled Substance Monitoring Database (CSMD) at the end of business each day or no later than the close of business on the following day. Currently, prescribers are required to enter such information at least once every seven days. Authorizes federal attorneys access to the CSMD. Establishes that an agent of the offices of United States attorneys may be charged with a Class A misdemeanor for unauthorized use or disclosure of information attained from the CSMD.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

IMPACT TO COMMERCE OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (012680): Deletes and rewrites the bill such the only substantives change is the addition of the executive director of the Board of Nursing to the Controlled Substance Monitoring Database Committee.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

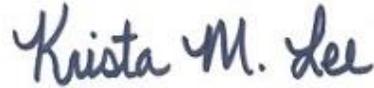
- This legislation makes mostly non-substantive changes to current law governing access and use of the CSMD.
- Adds the executive director of the Board of Nursing to the Controlled Substance Database Committee.
- Members of the Committee are entitled to per diem and travel reimbursement with regards to performance of official duties of the Committee.

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- According to the Department of Health, the executive director will require neither per diem nor travel reimbursement as the director's office is located in the same building in which Committee meetings are held.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related board are required to be self-supporting over any two year period. The Board of Pharmacy had a deficit of \$66,136 in FY13-14, \$284,085 in FY14-15, and a cumulative reserve balance of \$1,444,168 on June 30, 2015.

CERTIFICATION:

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



Krista M. Lee, Executive Director

/jdb