



State of Tennessee

PUBLIC CHAPTER NO. 872

SENATE BILL NO. 1832

By Yager, Burks, Campfield

Substituted for: House Bill No. 1466

By Ramsey, Dunn, Ragan, Coley, Stewart, Lamberth

AN ACT to amend Tennessee Code Annotated, Title 53, Chapter 11, Part 3, relative to dispensing certain prescription drugs.

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

SECTION 1. Tennessee Code Annotated, Title 53, Chapter 11, Part 3, is amended by adding the following as a new section:

53-11-310.

(a) Prior to an authorized dispenser dispensing a prescription for any schedule II-IV opioid, benzodiazepine, zolpidem, barbiturate, or carisoprodol medication for greater than a seven (7) day supply, a pharmacist, pharmacy technician, pharmacy intern, or any other person authorized to dispense controlled substances shall require the person taking possession of the dispensed prescription to present a valid government issued identification or public or private insurance card, unless the person is personally known to the pharmacist, pharmacy technician, pharmacy intern or any other person authorized to dispense controlled substances. The identification requirements described in subsection (a) shall apply to all authorized dispensers who dispense schedule II-IV opioid, benzodiazepine, zolpidem, barbiturate, and carisoprodol medications for greater than a seven (7) day supply.

(b) Should any person who is a minor or who is homeless seek to take possession of a dispensed prescription for a schedule II-IV opioid, benzodiazepine, zolpidem, barbiturate, or carisoprodol medication not have a valid identification, the pharmacist, pharmacy technician, pharmacy intern or any other person authorized to dispense controlled substances shall use professional judgment in determining whether to dispense the prescription to the person.

(c) Nothing in this section shall be construed to:

(1) Require that the person taking possession of a schedule II-IV opioid, benzodiazepine, zolpidem, barbiturate, or carisoprodol medication and the person for whom the prescription is written be the same person;

(2) Apply to any controlled substance dispensed by a licensed veterinarian;

(3) Apply to drug samples dispensed by a healthcare professional; or

(4) Apply to prescriptions written for:

(A) Inpatients in a hospital;

(B) Outpatients of a hospital where the prescriber writes the order in the medical chart and the order is given directly to the hospital pharmacy and the patient does not have the opportunity to handle the written order;

(C) Residents of a nursing home or an assisted living facility;

(D) Inpatients or residents of a mental health hospital or residential facility licensed under title 33;

(E) Inpatients or residents of any facility that is registered by the United States drug enforcement administration as a narcotic treatment program and is subject to the record keeping provisions of 21 CFR §1304.24;

(F) Individuals incarcerated in a local, state or federal correctional facility;

(G) Patients receiving prescriptions from mail order pharmacies; or

(H) Patients receiving home deliveries from pharmacies.

(d) A healthcare provider in violation of this section shall only be subject to a civil penalty assessed by the provider's licensing board. Section 53-11-401 shall not apply to penalties imposed under this section.

(e) The board of pharmacy is authorized to promulgate rules to implement this section in accord with title 4, chapter 5.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

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PASSED: April 14, 2014



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 1st day of May 2014



BILL HASLAM, GOVERNOR