HOUSE BILL 282
By Baum

SENATE BILL 869

By Reeves

AN ACT to amend Tennessee Code Annotated, Title 33; Title 58; Title 63; Title 68 and Title 71, relative to the practice of pharmacy.

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

SECTION 1. Tennessee Code Annotated, Section 63-10-204, is amended by deleting subdivisions (37) and (38) and substituting:

(37) "Pharmacy intern" means an individual enrolled in or a graduate of a recognized school or college of pharmacy under rules established by the board who is serving a period of time of practical experience under the supervision of a pharmacist, and may perform tasks delegated by the pharmacist, consistent with the individual's education, training, and experience;

(38) "Pharmacy technician" means an individual who is specifically trained and designated to assist a pharmacist and may perform tasks delegated by the pharmacist, including participation in drug, dietary supplement, and device selection, storage, distribution, and administration, consistent with the individual's education, training, and experience;

SECTION 2. Tennessee Code Annotated, Section 63-10-204(39), is amended by adding the following as a new subdivision:

(C)

(i) "Practice of pharmacy" also includes the prescribing of:

(*a*) Dietary fluoride supplements when prescribed according to the American Dental Association's recommendations for persons whose

drinking water is proven to have a fluoride content below the federal department of health and human services' recommended concentration;

(*b*) Agents for active immunization when prescribed for susceptible individuals who are six (6) years of age or older for the protection from communicable disease;

(*c*) Opioid antagonists;

(*d*) Epinephrine auto-injectors;

(*e*) Tobacco cessation products;

(*f*) Hormonal contraceptives;

(*g*) Tuberculin purified protein derivative products; or

(*h*) Drugs, drug categories, or devices that are prescribed in accordance with the product's federal food and drug administration-approved labeling and that are limited to conditions that:

(*1*) Do not require a new diagnosis;

(*2*) Are minor and generally self-limiting;

(*3*) Have a test that is used to guide diagnosis or clinical decision-making and are waived under the federal Clinical Laboratory Improvement Amendments of 1988 (CLIA) (42 U.S.C. § 263a); or

(*4*) In the professional judgment of the pharmacist, threaten the health or safety of the patient should the prescription not be immediately dispensed. In that case, only a sufficient quantity may be provided until the patient is able to be seen by another provider;

(ii) This subdivision (39)(C) does not authorize a pharmacist to prescribe a controlled drug, compounded drug, or biological product;

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.