

## Department of Planning and Budget 2002 Fiscal Impact Statement

**1. Bill Number** SB145

|                        |  |                                     |                                    |
|------------------------|--|-------------------------------------|------------------------------------|
| <b>House of Origin</b> | <input checked="" type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| <b>Second House</b>    | <input type="checkbox"/> In Committee          | <input type="checkbox"/> Substitute | <input type="checkbox"/> Enrolled  |

**2. Patron** Norment

**3. Committee** Education and Health

**4. Title** Practice of pharmacy

**5. Summary/Purpose:** This legislation would exempt from the requirements for the practice of pharmacy those practitioners of medicine or osteopathy who participate in pharmaceutical manufacturers' indigent programs in which the manufacturer donates a stock bottle of the prescription drug that is to be dispensed to an indigent patient. The labeling and packaging standards will apply (packaging can be changed by the practitioner or the patient) and the drug cannot be used for any other purpose, unless the manufacturer and the practitioner authorize dispensing to another indigent patient. Practitioners may, in lieu of dispensing directly to the patient, transfer the stock bottle to a pharmacy participating in the indigent program. The pharmacy may charge a reasonable dispensing fee; however, the participating pharmacy may not benefit from dispensing the donated drugs. Pursuant to enactment clauses, the Board of Pharmacy is required to promulgate emergency regulations (within 280 days) and to advise and assist any free clinic to resolve issues relating to the practice of pharmacy and the Drug Control Act.

**6. Minimal Fiscal Impact**

**7. Budget amendment necessary:** No

**8. Fiscal implications:** The agency estimates that it will cost approximately \$5,000 in the first year to promulgate the emergency regulations required by this legislation. These costs are associated with the rule-making process and include expenses for committee meetings, public hearings, and mailings.

**9. Specific agency or political subdivisions affected:** Department of Health Professions

**10. Technical amendment necessary:** No

**11. Other comments:** This legislation is similar to HB487, except this legislation allows participating practitioners and pharmacists to charge a reasonable dispensing fee and requires emergency regulations.

**Date:** 01/21/02/ kwm

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cc: Secretary of Health and Human Resources