

Department of Planning and Budget 2002 Fiscal Impact Statement

1. Bill Number SB145

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Norment

3. Committee Passed Both Houses

4. Title Practice of pharmacy

5. Summary/Purpose: Provide two exceptions from the requirements for the practice of pharmacy for practitioners of medicine or osteopathy relating to obtaining prescription drugs without charge for indigent patients, i.e., through pharmaceutical manufacturers' indigent programs and through donations from other entities. Practitioners 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 are provided authority to dispense such drugs. 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 authorizes 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 participating practitioner and the pharmacy are prohibited from charging the patient a fee for the medication. A reasonable dispensing or administrative fee to offset the cost of dispensing may be charged, not to exceed the comparable allowable fee reimbursed by the Virginia Medicaid program; however, if the patient is unable to pay the dispensing or administrative fee, this fee must be waived. In addition, practitioners of medicine or osteopathy are authorized to provide controlled substances to their own patients in free clinics without charge when the drugs have been donated by an entity other than a pharmaceutical manufacturer. The practitioner must first obtain controlled substances registration and will be required to comply with the existing labeling and packaging requirements. Enactment clauses require emergency regulations and mandate that the Board of Pharmacy advise and assist free clinics in revolving 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 identical to HB487.

Date: 03/24/02/kwm

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cc:SecretaryofHealthandHumanResources