

**STATE OF TENNESSEE**  
OFFICE OF THE  
**ATTORNEY GENERAL**  
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February 25, 2009

Opinion No. 09-16

High Volume/Central Fill Pharmacies

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**QUESTIONS**

1. Under present law, are “high volume” or “central fill” pharmacies allowed to do business in the State of Tennessee?
2. If not, what must be changed to allow them to do business in Tennessee?

**OPINIONS**

1. Yes, provided that they are licensed by the Tennessee Board of Pharmacy and comply with regulatory requirements that presently are being promulgated by the Board.
2. In light of our response to your first question, this question is pretermitted.

**ANALYSIS**

We understand that your inquiry about “high volume” or “central fill” pharmacies refers to pharmacies that fill or refill a prescription order at the request of another pharmacy for the delivery of the prescription drugs to the patient or patient’s agent. The activities conducted by such pharmacies often are referred to as “centralized prescription processing.” We understand that your inquiry was prompted by the fact that Tennessee law has not explicitly addressed the status of such pharmacies.

In the 2008 session, the Legislature enacted Public Chapter 966, an act that amends the Tennessee Pharmacy Practice Act of 1996. The legislation, which was signed by the Governor on May 19, 2008, adds the following new section:

Section 63-10-214. Centralized prescription processing–  
Licensing– Rules.

(a) Each pharmacy participating in centralized  
prescription processing shall be licensed by the board of pharmacy.

(b) The board shall promulgate rules relative to centralized prescription processing including, but not limited to, the usage of common electronic files or common database.

2008 Acts, Pub. Chap. 966.

We thus conclude that “high volume” or “central fill” pharmacies are allowed to do business in the State of Tennessee, provided that they are licensed by the Tennessee Board of Pharmacy and comply with regulatory requirements promulgated by the Board.

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Requested by:

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