



State of Tennessee

PUBLIC CHAPTER NO. 355

SENATE BILL NO. 1320

By Crowe, Briggs

Substituted for: House Bill No. 519

By Cameron Sexton, Matheny, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 53; Title 63 and Title 68, relative to disposal of prescription drugs.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new section:

Notwithstanding any rule to the contrary, a nursing home, as defined in § 68-11-201, is authorized to participate in a drug donation repository program under title 63, chapter 10 until such time as the board for licensing health care facilities promulgates rules to effectuate such participation. Nothing in this title or title 63 precludes a nursing home from utilizing a drug donation repository program for drug disposal services.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new section:

(a) Notwithstanding this title or any rule, the board for licensing health care facilities is directed to use emergency rulemaking under § 4-5-208 to promulgate rules by January 1, 2018, to permit facilities licensed under this part to dispose of controlled substances and other prescription drugs by destruction using any means permitted by the federal drug enforcement administration.

(b) Notwithstanding this title or any rule, the board for licensing health care facilities is directed to use emergency rulemaking under § 4-5-208 to promulgate rules by January 1, 2018, to permit the disposal by donation or other means, including a drug donation repository program, of prescription drugs that are not controlled substances.

SECTION 3. Notwithstanding this act or the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5, any rule promulgated to implement this act shall be provided to the chairs of the health committee of the house of representatives and the health and welfare committee of the senate by the secretary of state, after approval by the attorney general and reporter, and at the same time the text of the rule is made available to the government operations committees of the senate and the house of representatives for purposes of conducting the review required by § 4-5-226 in order for chair of the health committee of the house of representatives and chair of the health and welfare committee of the senate to be afforded the opportunity to comment on the rule.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: May 3, 2017


RANDY MCNALLY
SPEAKER OF THE SENATE


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 11th day of May 2017


BILL HASLAM, GOVERNOR