



# State of Tennessee

## PUBLIC CHAPTER NO. 150

### SENATE BILL NO. 523

By Jackson, Reeves, Bowling, Hensley, Powers

Substituted for: House Bill No. 495

By Brock Martin, Terry, Sherrell, Towns, Hardaway, Helton-Haynes, Todd, Howell, Whitson, Beck

AN ACT to amend Tennessee Code Annotated, Title 53; Title 63 and Title 68, relative to medical waste.

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

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

**68-11-2201.** This part is known and may be cited as the "Topical Medical Waste Reduction Act of 2023."

**68-11-2202.** The general assembly finds that this part is necessary for the immediate preservation of the public welfare, health, and safety.

**68-11-2203.** As used in this part:

(1) "Facility" means a hospital operating room or hospital emergency room department;

(2) "Facility-provided medication" means a topical antibiotic, anti-inflammatory, dilation, or glaucoma drop or ointment that a facility employee has on standby or that is retrieved from a dispensing system for a specified patient for use during a procedure or visit; and

(3) "Prescriber" means an individual authorized by law to prescribe drugs.

**68-11-2204.** If a facility-provided medication is ordered at least twenty-four (24) hours in advance for surgical procedures and is administered to a patient at the facility, then an unused portion of the facility-provided medication may be offered to the patient upon discharge when it is required for continuing treatment.

**68-11-2205.** A facility-provided medication must be labeled consistent with labeling requirements under the Tennessee Pharmacy Practice Act of 1996, compiled in title 63, chapter 10, parts 2-5.

**68-11-2206.** If a facility-provided medication is used in an operating room or emergency department setting, then the prescriber shall counsel the patient on its proper use and administration and the requirement of pharmacist counseling is waived.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.


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PASSED: March 23, 2023

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 13<sup>th</sup> day of April 2023

  
BILL LEE, GOVERNOR