

HOUSE BILL 1211

By Shepard

AN ACT to amend Tennessee Code Annotated, Title 63,
Chapter 19 and Title 63, Chapter 7, relative to
controlled substances.

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

SECTION 1. Tennessee Code Annotated, Section 63-7-123(b)(2), is amended by
deleting the subdivision and substituting instead the following:

(2)

(A) The nurse practitioner who holds a certificate of fitness shall be authorized to prescribe and/or issue controlled substances listed in Schedules II, III, IV and V of title 39, chapter 17, part 4 upon joint adoption of physician supervisory rules concerning controlled substances pursuant to subsection (d).

(B) Notwithstanding subdivision (b)(2)(A), it shall be unlawful for a nurse practitioner to prescribe schedules II, III and IV controlled substances unless such prescription is specifically authorized by the formulary or expressly approved after consultation with the supervising physician before the initial issuance of the prescription or dispensing of the medication.

(C) A nurse practitioner who had been issued a certificate of fitness may only prescribe or issue an opioid or benzodiazepine listed on the formulary for a maximum of a non-refillable, thirty-day course of treatment unless specifically approved after consultation with the supervising physician before the initial issuance of the prescription or dispensing of the medication. A nurse practitioner who wishes to prescribe or dispense an additional course of treatment for an opioid or benzodiazepine for a patient who has already received a non-refillable, thirty-day course of treatment may only issue a new prescription or dispense the medication after another consultation with the

supervising physician about the patient's needs and documentation of the consultation in the patient record.

SECTION 2. Tennessee Code Annotated, Section 63-19-107(2)(B), is amended by deleting the subdivision and by substituting instead the following:

(B)

(i) A physician assistant to whom the authority to prescribe legend drugs and controlled substances has been delegated by the supervising physician shall file a notice with the committee containing the name of the physician assistant, the name of the licensed physician having supervision, control and responsibility for prescriptive services rendered by the physician assistant and a copy of the formulary describing the categories of legend drugs and controlled substances to be prescribed and/or issued, by the physician assistant. The physician assistant shall be responsible for updating this information;

(ii) Notwithstanding any other rule or law, it shall be unlawful for any physician assistant to prescribe Schedules II, III and IV controlled substances unless such prescription is specifically authorized by the formulary or expressly approved after consultation with the supervising physician before the initial issuance of the prescription or dispensing of the medication;

(iii) Any physician assistant to whom the authority to prescribe controlled drugs has been delegated by the supervising physician may only prescribe or issue an opioid or benzodiazepine listed on the formulary for a maximum of a non-refillable, thirty-day course of treatment, unless specifically approved after consultation with the supervising physician before the initial issuance of the prescription or dispensing of the medication. Any physician assistant who wishes to prescribe or dispense an additional course of treatment for an opioid or benzodiazepine for a patient who has already received a non-refillable, thirty-day course of treatment may only issue a new prescription or dispense the medication after another consultation with the supervising physician about the patient's needs and documentation of the consultation in the patient record;

SECTION 3. This act shall take effect July 1, 2013, the public welfare requiring it.