

HOUSE BILL 1649

By Shaw

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

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

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following new section:

(a) Except as provided in subsection (c), each health care prescriber shall, prior to prescribing a drug to any patient in this state, provide the patient or the patient's legal representative with an explanation of all possible side effects of the prescribed drug that are listed by the drug manufacturer.

(b) Except as provided in subsection (c), each pharmacist licensed under chapter 10 of this title shall, prior to dispensing a prescribed drug to any patient in this state, provide the patient or the patient's legal representative with an explanation of all possible side effects of the prescribed drug that are listed by the drug manufacturer.

(c) A health care prescriber or pharmacist is not required to provide the explanations required by this section when prescribing or dispensing a drug a second or subsequent time to a patient on a recurring basis, as defined by the department of health by rule.

(d) A health care prescriber or pharmacist who violates this section commits professional misconduct and is subject to professional discipline by the health care prescriber's or pharmacist's licensing authority.

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it, and applies to prescriptions issued or dispensed on and after that date.