

SENATE BILL 1765

By Lamar

AN ACT to amend Tennessee Code Annotated, Title 8;  
Title 33; Title 53; Title 56; Title 63; Title 68 and  
Title 71, relative to prescription drugs.

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

SECTION 1. Tennessee Code Annotated, Title 53, Chapter 10, Part 2, is amended by adding the following as a new section:

(a) On or before January 1, 2025, the department of finance and administration, in collaboration with the department of health and the bureau of TennCare, shall submit a request to the United States secretary of health and human services for approval of the ability to import safe and effective prescription drugs from Canada pursuant to 21 U.S.C. § 384. The request must, at a minimum:

(1) Demonstrate how the prescription drugs imported into this state will meet the applicable federal and state standards for safety and effectiveness;

(2) Demonstrate how the drugs imported into this state will comply with federal law for the pharmaceutical distribution supply chain as described in the Drug Supply Chain Security Act (Title II of Pub. L. No. 113-54).

(3) Include a list of proposed prescription drugs that have the highest potential for cost savings to this state through importation at the time that the request is submitted;

(4) Estimate this state's total annual cost savings from importation of prescription drugs from Canada;

(5) Estimate this state's total annual cost of importation of prescription drugs from Canada; and

(6) Include a list of potential Canadian suppliers from which this state would import drugs and demonstrate that the suppliers are in full compliance with relevant Canadian federal and provincial laws and regulations as well as all applicable federal and state laws and regulations.

(b) Upon receipt of federal approval, the department of finance and administration shall notify the governor, the speaker of the senate, and the speaker of the house of representatives of such federal approval.

(c) Within six (6) months of receiving federal approval, the department of finance and administration, in collaboration with the department of health and the bureau of TennCare, shall submit a proposal to the governor, the speaker of the senate, and the speaker of the house of representatives to implement a program for the importation of safe and effective prescription drugs from Canada which have the highest potential for cost savings to this state.

(d) The department of finance and administration, in collaboration with the department of health and the bureau of TennCare, is authorized to promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

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