

SENATE BILL 2037

By Gilmore

AN ACT to amend Tennessee Code Annotated, Title 39; Title 40; Title 53; Title 63 and Title 68, relative to prescriptions for Schedule II controlled substances.

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 as a new section:

(a) Prior to issuing the initial prescription of a Schedule II controlled, dangerous substance or other opioid pain reliever that is a prescription drug in a course of treatment for acute or chronic pain and prior to issuing the third prescription of the course of treatment, a practitioner shall discuss with the patient, or the patient's parent or guardian if the patient is under eighteen (18) years of age and is not an emancipated minor, the risks associated with the drug being prescribed, including, but not limited to:

(1) The risks of addiction and overdose associated with opioid drugs and the dangers of taking opioid drugs with alcohol, benzodiazepines, and other central nervous system depressants;

(2) The reasons why the prescription is necessary;

(3) Alternative treatments that may be available; and

(4) Risks associated with the use of the drugs being prescribed, specifically that opioids are highly addictive, even when taken as prescribed; that there is a risk of developing a physical or psychological dependence on the controlled dangerous substance; and that the risks of taking more opioids than prescribed, or mixing sedatives, benzodiazepines, or alcohol with opioids, can result in fatal respiratory depression.

(b) The practitioner shall include a note in the patient's medical record that the patient or the patient's parent or guardian, as applicable, has discussed with the practitioner the risks of developing a physical or psychological dependence on the controlled, dangerous substance and alternative treatments that may be available.

(c) This section does not apply to a prescription for a patient who is currently in active treatment for cancer, receiving hospice care from a licensed hospice or palliative care, or is a resident of a long-term care facility, or to medications that are being prescribed for use in the treatment of substance abuse or opioid dependence.

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