

SENATE BILL 2403

By Overbey

AN ACT to amend Tennessee Code Annotated, Title 63,
Chapter 1, relative to collaborative pharmacy
practice agreements for opioid antagonist therapy.

WHEREAS, it is the intent of the General Assembly to authorize the Chief Medical Officer for the Tennessee Department of Health to implement a state-wide Collaborative Pharmacy Practice Agreement specific to opioid antagonist therapy with any pharmacist licensed in, and practicing in, the state of Tennessee; now, therefore,

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

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

(a) As used in this section:

(1) "Chief medical officer" means the chief medical officer for the department of health;

(2) "Opioid antagonist" means a drug that binds to opioid receptors and blocks or inhibits the effect of opioids acting on those receptors, including, but not limited to, naloxone hydrochloride or any other similarly acting and equally safe drug approved by the United States food and drug administration for the treatment of drug overdose;

(3) "Opioid antagonist training program" means a training program approved by the department of health related to opioid antagonist therapy. The training program shall include, but not be limited to, proper administration techniques, use, documentation, and quality assurance.

(b)

(1) The chief medical officer is authorized to implement a state-wide collaborative pharmacy practice agreement specific to opioid antagonist therapy with any pharmacist licensed in, and practicing in, this state.

(2) A pharmacist licensed in, and practicing in, this state is authorized to dispense an opioid antagonist, in good faith, pursuant to a valid state-wide collaborative pharmacy practice agreement executed by the chief medical officer.

(3) Under a valid state-wide collaborative pharmacy practice agreement authorized by the chief medical officer, an authorized pharmacist may dispense an opioid antagonist to:

(A) A person at risk of experiencing an opiate-related overdose;

(B) A family member, friend, or other person in a position to assist a person at risk of experiencing an opiate-related overdose.

(4) Before a pharmacist enters into a state-wide collaborative pharmacy practice agreement with the chief medical officer for the dispensing of an opioid antagonist, the pharmacist shall be able to provide documentation of completion of an opioid antagonist training program within the previous two (2) years.

(5) The pharmacist shall maintain the collaborative pharmacy practice agreement in accordance with the requirements set forth in § 63-10-217, and this agreement must be made available to the department of health upon request.

(6) Any licensed pharmacist acting in good faith and with reasonable care, who dispenses an opioid antagonist to a person the pharmacist believes to be experiencing or at risk of experiencing a drug-related overdose, or who prescribes an opioid antagonist to a family member, friend, or other person in a position to assist a person experiencing or at risk of experiencing a drug-related overdose, is immune from disciplinary or adverse administrative actions under this title for acts or omissions during the dispensation of an opioid antagonist.

(7) Any licensed pharmacist who dispenses an opioid antagonist pursuant to subdivision (b)(2) is immune from civil liability in the absence of gross negligence or willful misconduct for actions authorized by this section.

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