HARRIS FRAZIER

Government Relations

Pharmacy

SB2 **COVID-19: Limitation on claims against a person for loss, damage, injury, or death arising from COVID-19.**

Sponsors: Sen. Johnson, Jack ,
Summary: Makes permanent limitations on claims against a person for loss, damage, injury, or death arising from COVID-19 and the prohibition on COVID-19 vaccine mandates.
Senate Status: 01/11/23 - Held on Senate clerk's desk.

SB11/HB2 **COVID-19: Makes permanent various provisions regarding COVID-19.**

Sponsors: Sen. Johnson, Jack , Rep. Zachary, Jason
Summary: Makes permanent various provisions regarding COVID-19.
Senate Status: 01/11/23 - Held on Senate clerk's desk.
House Status: 01/11/23 - Held on House clerk's desk.

SB34/HB200 **GOVERNMENT ORGANIZATION: Sunset - board of pharmacy.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the board of pharmacy to June 30, 2027.
Senate Status: 01/11/23 - Held on Senate clerk's desk.
House Status: 01/13/23 - Filed for Introduction

SB36/HB202 **GOVERNMENT ORGANIZATION: Sunset - controlled substance database committee.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the controlled substance database committee to June 30, 2027.
Senate Status: 01/11/23 - Held on Senate clerk's desk.
House Status: 01/13/23 - Filed for Introduction

SB38/HB204 **GOVERNMENT ORGANIZATION: Sunset - department of commerce and insurance.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the department of commerce and insurance to June 30, 2027.
Fiscal Note: TENNESSEE GENERAL ASSEMBLY FISCAL REVIEW COMMITTEE FISCAL NOTE SB 38 January 10, 2023SUMMARY OF BILL: Extends the termination date of the Department of Commerceand Insurance to June 30, 2027. Under the Tennessee Governmental Entity Review Law, theDepartment is scheduled to terminate on June 30, 2023.FISCAL IMPACT: NOT SIGNIFICANT
Senate Status: 01/11/23 - Held on Senate clerk's desk.
House Status: 01/13/23 - Filed for Introduction

SB40/HB206 **GOVERNMENT ORGANIZATION: Sunset - department of health.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the department of health to June 30, 2027.
Fiscal Note: TENNESSEE GENERAL ASSEMBLY FISCAL REVIEW COMMITTEE FISCAL NOTE SB 40 January 10, 2023SUMMARY OF BILL: Extends the termination date of the Department of Health toJune 30, 2027. Under the Tennessee Governmental Entity Review Law, the Department isscheduled to terminate on June 30, 2023.FISCAL IMPACT: NOT SIGNIFICANT
Senate Status: 01/11/23 - Held on Senate clerk's desk.
House Status: 01/13/23 - Filed for Introduction

SB48/HB214 **GOVERNMENT ORGANIZATION: Sunset - medical cannabis commission.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the medical cannabis commission to June 30, 2025.
Senate Status: 01/11/23 - Held on Senate clerk's desk.
House Status: 01/13/23 - Filed for Introduction

SB96/HB185 **HEALTH CARE: Application for nonresidential substitution-based treatment center for opiate addiction - notice.**

Sponsors: Sen. Johnson, Jack , Rep. Whitson, Sam
Summary: Increases, from 10 to 15, the number of days within which an applicant must send notice to the appropriate officials that an application for a nonresidential substitution-based treatment center for opiate addiction has been filed with the health facilities commission. Broadly captioned.
Fiscal Note: TENNESSEE GENERAL ASSEMBLY FISCAL REVIEW COMMITTEE FISCAL NOTE SB 96 January 12, 2023SUMMARY OF BILL: Revises certain provisions of the Tennessee Code Annotatedwithout making substantive changes to current law.FISCAL IMPACT: NOT SIGNIFICANT
Senate Status: 01/11/23 - Held on Senate clerk's desk.

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House Status: 01/12/23 - Filed for Introduction

SB140/HB109 **HEALTH CARE: Healthcare provider furnishing patient's medical records.**

Sponsors: Sen. Hensley, Joey , Rep. Helton-Haynes, Esther

Summary: Increases the number of days a healthcare provider has to furnish a patient's medical records from 10 working days to 20 working days from the date of the record's request.

Fiscal Note: TENNESSEE GENERAL ASSEMBLY FISCAL REVIEW COMMITTEE FISCAL NOTE HB 109 SB 140 January 12, 2023SUMMARY OF BILL: Revises certain provisions of the Tennessee Code Annotatedwithout making substantive changes to current law.FISCAL IMPACT: NOT SIGNIFICANT

Senate Status: 01/12/23 - Introduced in the Senate

House Status: 01/12/23 - Introduced in the House

SB149/HB131 **GOVERNMENT CONTRACTS: Audit notice for entities contracting with state or local government.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John

Summary: Extends from five to ten business days the period by which a contracting entity with the state or a local government must object to a notice to audit the contracting entity by the comptroller to ensure that public funds are used for their designated public purpose under the contract. Broadly captioned.

Fiscal Note: TENNESSEE GENERAL ASSEMBLY FISCAL REVIEW COMMITTEE FISCAL NOTE HB 131 - SB 149 January 17, 2023SUMMARY OF BILL: Revises certain provisions of the Tennessee Code Annotatedwithout making substantive changes to current law.FISCAL IMPACT: NOT SIGNIFICANT

Senate Status: 01/12/23 - Introduced in the Senate

House Status: 01/12/23 - Introduced in the House

SB168/HB85 **CRIMINAL LAW: Free All Cannabis for Tennesseans Act.**

Sponsors: Sen. Campbell, Heidi , Rep. Freeman, Bob

Summary: Enacts the "Free All Cannabis for Tennesseans Act" or "FACT Act," which establishes a regulatory structure for the cultivation, processing, and retail sale of marijuana and marijuana products in this state to be administered by the department of agriculture. Authorizes an adult to use, possess, and transport not more than 60 grams of marijuana, except that not more than 15 grams of that amount may be in the form of marijuana concentrate. Defines "marijuana concentrate" to mean the cannabinoid-rich oil or extract from marijuana extracted from plant material or the resin created from the plant by physical or chemical means and includes water-based marijuana concentrate, food-based marijuana concentrate, solvent-based marijuana concentrate, and heat- or pressure-derived marijuana concentrate. Authorizes an adult to transfer without remuneration to another adult not more than 60 grams of marijuana, except that not more than 15 grams of that amount may be in the form of marijuana concentrate. Specifies that the transfer must not be advertised or promoted to the public. Authorizes an adult to cultivate for personal use no more than 12 marijuana plants in an area on the premises of the adult's private residence. Allows a person to prohibit or restrict the possession, consumption, cultivation, distribution, manufacture, sale, or display of marijuana or marijuana products on property the person owns, occupies, or manages. Authorizes a county, by resolution of the county legislative body, or an incorporated municipality, by ordinance of its governing body, to levy a local sales tax in a rate not to exceed five percent on the sale of marijuana and marijuana products within such county or municipality. Also imposes a 15 percent tax on each sale of marijuana or a marijuana product by a marijuana dispensary. Requires the department of revenue to allocate the revenue derived from the marijuana tax and specifies allocation (37 pp.).

Senate Status: 01/12/23 - Filed for Introduction

House Status: 01/12/23 - Held on House clerk's desk.

SB193 **CRIMINAL LAW: Increased penalties for fentanyl derivative drugs.**

Sponsors: Sen. Lundberg, Jon ,

Summary: Increases the penalty to a Class B felony with a fine of up to $100,000 for drug offenses involving 0.5 grams or more of fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue.

Senate Status: 01/17/23 - Filed for Introduction

SB196 **HEALTH CARE: Updates requirements for prescription writing for nurse practitioners.**

Sponsors: Sen. Lundberg, Jon ,

Summary: Removes a reference to a repealed section that required the division of health related boards to provide to the board of pharmacy the names of all nurse practitioners and physician assistants who are authorized to write and sign prescriptions or issue legend drugs in Tennessee and the names of their supervising physicians.

Fiscal Note: TENNESSEE GENERAL ASSEMBLY FISCAL REVIEW COMMITTEE FISCAL NOTE SB 196 January 17, 2023SUMMARY OF BILL: Revises certain provisions of the Tennessee Code Annotatedwithout making substantive changes to current law.FISCAL IMPACT: NOT SIGNIFICANT

Senate Status: 01/17/23 - Filed for Introduction

SB200/HB304 **ALCOHOLIC BEVERAGES: Opiate antagonist nasal spray to be kept on premises of certain establishments.**

Sponsors: Sen. Lamar, London , Rep. Jones, Justin

Summary: Requires establishments that have gross sales of alcoholic beverages of more than $500,000 per calendar year, as a condition of receiving or renewing a liquor-by-the-drink license, to keep an opiate antagonist nasal spray in an easily accessible location on the premises and to provide satisfactory proof of such to the alcoholic beverage commission.

Fiscal Note: TENNESSEE GENERAL ASSEMBLY FISCAL REVIEW COMMITTEE FISCAL NOTE SB 200 HB 304 January 20, 2023SUMMARY OF BILL: Requires establishments that have more than $500,000 in grosssales of alcoholic beverages per calendar year to maintain at least one unexpired four-milligramdose of the opiate antagonist naloxone hydrochloride suspended in a one-tenth-milliliter nasalspray in an easily accessible location on the premises as a condition of receiving or renewing aliquor-by-the-drink license.FISCAL IMPACT: NOT SIGNIFICANT

Senate Status: 01/17/23 - Filed for Introduction

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House Status: 01/19/23 - Filed for Introduction

SB277/HB325 **HEALTH CARE: Opioid prescription limitations.**

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Permanently extends the present law, which is set to terminate on July 1, 2023, that establishes limitations on the prescription of opioids and authorizes the promulgation of rules related to the calculation of those limitations.
Senate Status: 01/19/23 - Filed for Introduction
House Status: 01/20/23 - Filed for Introduction

SB296 **HEALTH CARE: Licensure decisions on applications of persons licensed in another state.**

Sponsors: Sen. Gardenhire, Todd ,
Summary: Requires the board of medical examiners, board of osteopathic examination, board of nursing and board of physician assistants to render a decision within 45 days of receiving an application for Tennessee licensure from a person who is licensed in another state or territory of the United States or the District of Columbia. Requires the board to either issue the license or inform the applicant of its decision to deny licensure and the reasons for the denial. Stipulates that this requirement takes effect upon becoming law and applies to applications on or after that date.
Senate Status: 01/20/23 - Filed for Introduction

HB10 **CRIMINAL LAW: Exceptions to criminal abortion for rape, incest, or health of the woman.**

Sponsors: Rep. Hakeem, Yusuf
Summary: Specifies that the offense of criminal abortion does not include an abortion performed or attempted by a licensed physician who determined it was necessary to protect the physical or mental health of the pregnant woman or performed on a patient whose pregnancy is due to rape or incest. Requires the physician to verify that the patient has reported the crime to the appropriate law enforcement agency prior to the procedure in instances of abortion due to rape or incest.
House Status: 01/11/23 - Held on House clerk's desk.

HB101 **CRIMINAL LAW: Exclusions to offense of criminal abortion.**

Sponsors: Rep. Glynn, Ronnie
Summary: Excludes from the offense of criminal abortion an abortion performed to prevent the death of a pregnant woman or to prevent serious risk of substantial and irreversible impairment of a major bodily function of a pregnant woman or on a patient whose pregnancy is the result of incest or aggravated or especially aggravated rape, including aggravated or especially aggravated rape of a child. Deletes the preponderance of evidence requirements physicians must meet and removes this as an affirmative defense to prosecution. Removes a woman's conduct or mental health factors from consideration in determining what qualifies as an authorized abortion. Permits a law enforcement officer to confirm to a physician that the pregnant woman has filed a report of alleged rape or incest.
House Status: 01/12/23 - Introduced in the House

HB144 **CRIMINAL LAW: Second offense DUI - participation in substance abuse program.**

Sponsors: Rep. Lamberth, William
Summary: Changes from 25 to 17 the number of days of incarceration a person convicted of a second offense of driving under the influence of an intoxicant must serve before the person can participate in a substance abuse treatment program. Requires a person charged with or convicted of a third or subsequent offense of driving under the influence of an intoxicant involving the use of alcohol to wear a transdermal alcohol monitoring device for a 90-day period of continuous sobriety.
House Status: 01/12/23 - Introduced in the House

HB172 **HEALTH CARE: Tennessee Medical Cannabis Act.**

Sponsors: Rep. Chism, Jesse
Summary: Enacts the Tennessee Medical Cannabis Act to enable citizens of the state of Tennessee to legally access and utilize cannabis for certain medical purposes under certain conditions. Clarifies that government medical assistance programs and private insurers are not required to reimburse a person for costs associated with medical use of cannabis. Allows a person, property owner or employer to prohibit its use by guests, clients, customers or other visitors on that property. States that employers are not obligated to exempt an employee from discipline for ingesting cannabis in the workplace or for working under its influence. Allows a landlord to prohibit the cultivation of cannabis on the rental property. Equates the authorized use of medical cannabis with any other prescribed medication for the purposes of prohibiting discrimination in certain situations such as organ transplants, custody and visitation rights and certain employment practices. Outlines qualification requirements of patients and practitioners and defines relevant terms and conditions for the authorized use of medical cannabis. Includes a list of debilitating medical conditions which qualify a patient for medical cannabis. (46 pp.)
House Status: 01/12/23 - Filed for Introduction

HB173 **CAMPAIGNS & LOBBYING: Questions related to legalization of marijuana to be on November 2024 ballot.**

Sponsors: Rep. Chism, Jesse
Summary: Requires county election commissions to include three non-binding questions related to the legalization of marijuana on the November 2024 ballot. Requires the secretary of state to compile the results of the public policy opinion poll and forward the results to each member of the general assembly.
House Status: 01/12/23 - Filed for Introduction

HB252 **EDUCATION: Exemption from immunization requirements for home school students.**

Sponsors: Rep. Barrett, Jody

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Summary: Removes the requirement that a parent-teacher of a home school student provide proof of the student's immunizations and receipt of health services or examinations required by law generally for children in this state to the local education agency. Exempts home school students from the immunization requirements applicable to students attending a school, nursery school, kindergarten, preschool, or childcare facility.

House Status: 01/17/23 - Filed for Introduction

HB266 **HEALTH CARE: Updates to the undispensed inventory of opioids and benzodiazepines.**

Sponsors: Rep. Terry, Bryan

Summary: Removes the "within 10 days after January 1, 2015" factor from the requirement that each medical practitioner, unless the practitioner meets an exception, must ensure that the undispensed inventory of opioids and benzodiazepines purchased under the prescriber's drug enforcement administration number for dispensing is returned to a licensed third party reverse distributor or turned into local law enforcement. Broadly captioned.

House Status: 01/19/23 - Filed for Introduction

HB269 **HEALTH CARE: Info provided by department of health on reversing the effects of a chemical abortion.**

Sponsors: Rep. Terry, Bryan

Summary: Requires the department of health to publish on its website information on the possibility of reversing the effects of a chemical abortion in any language that is the primary language spoken by 1 percent or more of this state's population, rather than 2 percent or more. Broadly captioned.

House Status: 01/19/23 - Filed for Introduction

HB282 **HEALTH CARE: Practice of pharmacy.**

Sponsors: Rep. Baum, Charlie

Summary: Authorizes as part of the practice of pharmacy the prescribing of dietary fluoride supplements, certain immunization agents, opioid antagonists, and certain other drugs and products. Makes various other changes to pharmacy practice including professional judgement and health and safety. Broadly captioned.

House Status: 01/19/23 - Filed for Introduction

HJR42 **JUDICIARY: Constitutional amendment - proposing of laws by initiative.**

Sponsors: Rep. Hardaway, G.A.

Summary: Proposes an amendment to allow people to propose laws by initiative.

House Status: 01/17/23 - Filed for Introduction

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