

State of Tennessee

PUBLIC CHAPTER NO. 188

SENATE BILL NO. 277

By Johnson, Reeves

Substituted for: House Bill No. 325

By Lamberth, Cochran, Terry, Ragan, Helton-Haynes

AN ACT to amend Tennessee Code Annotated, Section 53-10-303; Section 63-1-164 and Chapter 1039 of the Public Acts of 2018, relative to opioid prescription limitations.

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

SECTION 1. Chapter 1039 of the Public Acts of 2018, is amended by deleting SECTION 9.

SECTION 2. Tennessee Code Annotated, Section 63-1-164(a), is amended by adding the following as a new subdivision:

() "Recent cancer treatment" means six (6) months following the end of an active cancer treatment;

SECTION 3. Tennessee Code Annotated, Section 63-1-164(d)(1), is amended by adding the following as a new subdivision:

(C) After issuing an initial prescription to a patient for an opioid in a manner that complies with subdivision (d)(1)(A), the healthcare practitioner who issued the initial prescription is not required to obtain and document informed consent as required under subdivision (d)(1)(A)(iv) if the subsequent prescription is for the same opioid and for the same episode of treatment. Notwithstanding this subdivision (d)(1)(C), informed consent must be updated periodically during any course of treatment.

SECTION 4. Tennessee Code Annotated, Section 63-1-164(d)(1)(A)(iv), is amended by deleting the language "Obtains informed consent" and substituting "Obtains informed consent, except as provided in subdivision (d)(1)(C),".

SECTION 5. Tennessee Code Annotated, Section 63-1-164(e)(1), is amended by deleting the subdivision and substituting:

(1) The treatment of patients who are undergoing active cancer treatment, have undergone recent cancer treatment, are undergoing palliative care treatment, or are receiving hospice care;

SECTION 6. Tennessee Code Annotated, Section 63-1-164(f), is amended by deleting the subsection and substituting the following:

(f) The commissioner of health, in consultation with the regulatory boards created pursuant to this title that license healthcare practitioners, shall provide a letter no later than November 1 of each even-numbered year to the governor, the speaker of the senate, the speaker of the house of representatives, the health and welfare committee of the senate, and the health committee of the house of representatives that includes updated information on the impact and effects of the restrictions set forth in this section. The letter may include recommendations for revisions to the restrictions on the prescription of opioids.

SECTION 7. This act takes effect upon becoming a law, the public welfare requiring it.


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PASSED: April 5, 2023


RANDY McNALLY
SPEAKER OF THE SENATE


CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 24th day of April 2023


BILL LEE, GOVERNOR