

LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS
FISCAL IMPACT STATEMENT

LS 6704

BILL NUMBER: SB 221

NOTE PREPARED: Dec 23, 2025

BILL AMENDED:

SUBJECT: Pharmacist Treatment by Standing Order.

FIRST AUTHOR: Sen. Charbonneau

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: *Standing Order*— The bill requires the State Health Commissioner to issue a standing order, prescription, or protocol to allow a pharmacist to test, treat, or prescribe if specified requirements are met.

Civil Immunity— The bill provides a pharmacist with civil immunity in the testing, treating, or prescribing unless the pharmacist's actions constitute gross negligence, willful or wanton misconduct, or intentional wrongdoing.

Rules— The bill requires the Indiana Board of Pharmacy to adopt rules concerning a pharmacist testing, treating, or prescribing for individuals.

Effective Date: Upon passage; July 1, 2026.

Explanation of State Expenditures: *Standing Order*— The State Health Commissioner would be able to issue standing orders, prescriptions, or protocols as a routine matter of business. [*The Indiana Department of Health's administrative expenditures are currently paid from the Tobacco Master Settlement Fund, a dedicated fund.*]

Rules— The Board of Pharmacy would likely be able to develop and adopt all necessary rules as a routine matter of business. The Board typically meets monthly and had \$9,230 in board member per diem and mileage reimbursement during FY 2025. The Professional Licensing Agency (PLA) would assist in the rules promulgation which is a routine agency function.

Explanation of State Revenues: *Civil Immunity*— There may be a slight reduction in civil cases as a result of immunity being extended to pharmacists under the conditions stipulated within the bill. If fewer civil cases occur and court fees are collected, revenue to the state General Fund will decrease. The total revenue per case ranges between \$100 and \$122. The amount deposited will vary depending on whether the case is filed in a court of record or a municipal court. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in civil, probate, and small claims cases](#).

Explanation of Local Expenditures:

Explanation of Local Revenues: *Civil Immunity*— If fewer cases occur, revenue collected by certain local units would decrease. When a case is filed in a court of record, the county will receive \$32 and qualifying municipalities will receive a share of \$3. If the case is filed in a municipal court, the county receives \$20, and the municipality will receive \$37. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in civil, probate, and small claims cases](#).

State Agencies Affected: Indiana Department of Health; Board of Pharmacy, Professional Licensing Agency.

Local Agencies Affected: Trial courts, city and town courts.

Information Sources: Indiana Supreme Court, Indiana Trial Court Fee Manual; Peoplesoft financials data.

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