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SENATE BILL 2556
By Reeves

HOUSE BILL 2136

By Terry

AN ACT to amend Tennessee Code Annotated, Title 39; Title 53; Title 63 and Title 68, relative to medications approved by the federal food and drug administration.

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

SECTION 1. On or before January 1, 2027, the department of health shall submit a report of each medication approved by the federal food and drug administration (FDA) for the purpose of women's health, including a synopsis of each medication, to the speaker of the senate and the speaker of the house of representatives.

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

Amendment No. 2 to HB2136

Farmer
Signature of Sponsor

AMEND Senate Bill No. 2556 House Bill No. 2136*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-17-403(d), is amended by designating the existing language as subdivision (d)(1) and adding the following as a new subdivision:

(2) If no objection is filed under subdivision (d)(1) for a substance that is approved by the United States food and drug administration and designated or scheduled under federal law by a final order published in the Federal Register, then the substance is considered to be in the same schedule as such substance is designated or scheduled under the federal schedule of controlled substances after the expiration of thirty (30) days from the date of publication of the final order. Any such designation or scheduling pursuant to this subdivision (d)(2) is effective immediately after the expiration of thirty (30) days from the date of publication of the final order and is not contingent on the annual revision and republishing of schedules pursuant to subsection (g).

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding a law to the contrary, a healthcare prescriber licensed under this title who is authorized to prescribe controlled substances may prescribe a drug product that has been scheduled pursuant to § 39-17-403(d)(2) immediately upon the effective date of such scheduling if:

(1) The drug product is approved by the United States food and drug administration;

(2) The drug product is in a schedule other than Schedule I by operation of § 39-17-403(d);

(3) Prescribing the drug product is within the healthcare prescriber's lawful scope of practice; and

(4) The drug product is not otherwise prohibited by state or federal law.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.