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FISCAL IMPACT REPORT

ORIGINAL DATE 01/29/09

SPONSOR Beffort LAST UPDATED _____ HB _____

SHORT TITLE Permit Redistribution of Unused Prescriptions SB 82

ANALYST Weber

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		Positive but Minimal	Positive but Minimal	Positive but Minimal	Recurring	General

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Corrections Department (NMCD)

SUMMARY

Synopsis of Bill

Senate Bill 82 requires NMCD operated or controlled pharmacies to accept and dispense unused prescription drugs, but only those drugs that have remained under the control of NMCD (not those drugs that an inmate had physical possession of or contact with). The NMCD operated or controlled pharmacies must also develop a written set of protocols for accepting, returning to stock, repackaging, labeling and re-dispensing the unused prescription drugs, and cannot accept for return unused prescription drugs until the protocols are developed.

The bill also generally excludes controlled substances (narcotics, etc.) and those drugs that cannot be safely identified from the category of unused drugs that must be re-dispensed.

The classic example of re-dispensing unused prescription drugs is as follows. An inmate is prescribed a particular medication for 30 days, and he is to be given one tablet to take each day. He is never given access to or possession of any of the medication other than that one daily tablet. The inmate discharges on the 10th day, or the doctor decides on that day that he no longer needs to continue taking the prescribed tablet. The 20 unused tablets would then be dispensed to another inmate if or when that inmate needed that same medication.

FISCAL IMPLICATIONS

NMCD notes that re-dispensing prescription drugs will reduce expenditures but the effect is estimated to be minimal.

MW/mt