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F I S C A L I M P A C T R E P O R T



SPONSOR: Heaton DATE TYPED: 01/21/02 HB HB 41

SHORT TITLE: Dispensing Controlled Substances SB _____

ANALYST: Joey F. Sandoval

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
		NFI			

(Parenthesis () Indicate Expenditure Decreases)

Relates to Senate Bill 8 (Compassionate Use Medical Cannabis Act)

SOURCES OF INFORMATION

LFC Files
 Board of Pharmacy
 Health Policy Commission

SUMMARY

House Bill 41 is an amendment to the Controlled Substances Act that eliminates language allowing “practitioners” to obtain annual registration from their respective examining and licensing authorities. Practitioners will be required to annually obtain registration from the Board of Pharmacy to distribute or dispense drugs that are subject to the Controlled Substances Act.

Significant Issues

- The Controlled Substance Act defines a practitioner as a physician, dentist, certified nurse-midwife, veterinarian or other person licensed or certified to prescribe and administer drugs that are subject to the Controlled Substances Act.
- Currently, practitioners may obtain required registration through their respective examining and licensing authorities pursuant to regulations and on forms supplied by the Board of Pharmacy.

OTHER SUBSTANTIVE ISSUES

- May create additional bureaucratic burden for practitioners who renew registration at the same board in which they renew their license. Since controlled substance registration is required annually and license renewal is not, in the years in which the license is not renewed, the burden would remain the same.
- Streamlines the controlled substances registration process and reduces administrative burden on the Board of Pharmacy and other professional licensing boards by limiting the registration paper work to a single board.
- May create the opportunity for the Board of Pharmacy to monitor the controlled substances registration process more closely.
- If controlled substances registration is a licensure requirement of a practitioner licensing board, that board would now be required to verify registration by a practitioner with the Board of Pharmacy during the licensing process, potentially creating an administrative burden on that licensing board.
- An automated process of registration verification between the Board of Pharmacy and practitioner licensing boards may be beneficial.

POSSIBLE QUESTIONS

- Is there currently a problem in how other agencies implementing this section of the Controlled Substances Act?
- How large of an inconvenience would these proposed changes have on practitioners and various boards?
- How will this bill improve the health and safety of the residence of New Mexico?
- Currently, are these registration fees not being routed to the appropriate fund?

JFS/njw:ar