

LFC Requester:	Kelly Klundt
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**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:
Original **Amendment**
Correction **Substitute**

Date 1/18/24
Bill No: SB34

Sponsor: Sen. Ortiz y Pino
Short Title: Expand Prescription Drug Donation Program

Agency Name and Code HSD-630
Number: _____
Person Writing Janet Reese
Phone: 505-795-4614 **Email** Janet.Reese@hsd.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
0	0		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
0	0	0		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	0	0	0	0	0

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 34 (SB 34) expands on an existing law allowing individuals to donate unused prescription pharmaceuticals (excluding any controlled substances) to a health care provider. The provider must be properly licensed to receive and redistribute donated prescription drugs to an individual which has medical need for the donated prescription medication. SB 34 expands the ability for more practitioners and facilities to participate in medication donation. SB 34 expands to out of state donors being able to donate prescription drugs and protects manufacturers from liability with donated prescription drugs. Regulations for both donors and recipients of donated medication are outlined and ensure the redistribution process is consistent with public health and safety standards. Patients receiving donated prescription drugs must sign acknowledging the medication was inspected by a health care practitioner, not necessarily a pharmacist, before being redistributed to the receiving patient. SB 34 lifts the limit of \$20 a health care provider may charge for accepting, inspecting, and distributing the donated prescription medication to “reasonable cost of participating in the collection of donated prescription drugs”.

FISCAL IMPLICATIONS

There are no fiscal implications to HCA for this bill.

SIGNIFICANT ISSUES

No significant issues for HCA

PERFORMANCE IMPLICATIONS

none

ADMINISTRATIVE IMPLICATIONS

None for HCA

No IT impact.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

none

TECHNICAL ISSUES

none

OTHER SUBSTANTIVE ISSUES

none

ALTERNATIVES

none

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS