

<b>LFC Requester:</b>	<b>Kelly Klundt</b>
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**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)

*and*

[DFA@DFA.NM.GOV](mailto:DFA@DFA.NM.GOV)

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**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** January 18, 2024  
**Bill No:** SB 34

**Sponsor:** Gerald Ortiz y Pino  
**Short Title:** Prescription Drug Donation Program Expansion

**Agency Name and Code** Regulation and Licensing - 420  
**Number:** \_\_\_\_\_  
**Person Writing** Cheranne McCracken  
**Phone:** 505-222-9841    **Email** Cheranne.mccracken@rld.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
N/A	N/A	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
0	0	0	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	N/A	N/A	N/A			

(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 the Prescription Drug Donation Program by redefining eligible recipient (to whom a person may donate certain unused and unexpired prescription drugs) to include individuals licensed pursuant to Section 61-11-14, NMSA 1978, health care facilities licensed by the department of health, or a practitioner licensed to prescribe prescription drugs, and allowing donation to occur by persons from other states.

**FISCAL IMPLICATIONS**

**SIGNIFICANT ISSUES**

Defining eligible recipient as “a health care facility licensed by the department of health pursuant to the public health act” is problematic, as the public health act definition of health facility includes facilities that are not licensed to receive and *distribute* prescription drugs (e.g. child care facility).

**PERFORMANCE IMPLICATIONS**

**ADMINISTRATIVE IMPLICATIONS**

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

**AMENDMENTS**

Recommend amending lines 22-23 of page 2 to:  
a health care facility licensed by the department of health pursuant to the Public Health Act which is able to receive and distribute prescription drugs; or