

Fiscal Estimate - 2023 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 23-4796/1	Introduction Number SB-0705
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Description
 the duty of a pharmacist to dispense lawfully prescribed drugs and devices

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
- Increase Existing Revenues
- Decrease Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget
 - Yes
 - No
- Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
- 1. Increase Costs
 - Permissive Mandatory
- 2. Decrease Costs
 - Permissive Mandatory
- 3. Increase Revenue
 - Permissive Mandatory
- 4. Decrease Revenue
 - Permissive Mandatory
- 5. Types of Local Government Units Affected
 - Towns Village Cities
 - Counties Others 0
 - School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**

GPR
 FED
 PRO
 PRS
 SEG
 SEGS
 s.20.165(1)(hg)

Agency/Prepared By	Authorized Signature	Date
DSPS/ Megan Denenea (608) 287-3749	Jennifer Garrett (608) 266-6795	12/19/2023

Fiscal Estimate Narratives

DSPS 12/19/2023

LRB Number	23-4796/1	Introduction Number	SB-0705	Estimate Type	Original
Description the duty of a pharmacist to dispense lawfully prescribed drugs and devices					

Assumptions Used in Arriving at Fiscal Estimate

This bill expands the duty of pharmacies to dispense any lawfully prescribed drug or device, including provisions stating without delay. However, if any pharmacist at a pharmacy refuses to dispense a drug or device for reasons of conscience such that the pharmacy cannot fulfill the prescription order without delay, then the bill requires the pharmacy to transfer the prescription order to a different pharmacy, at the direction of the patient, that will dispense the prescribed drug or device without delay. The bill also specifies that a pharmacy may not dispense a lawfully prescribed drug or device if there is an absolute contraindication for the prescribed drug or device, rather than just a contraindication. Under the bill, "absolute contraindication" is defined to mean any condition present in a patient that makes a particular drug or device inadvisable under any circumstances. Further, the bill prohibits a pharmacy benefit manager from penalizing in any way a pharmacy or pharmacist from dispensing a prescribed drug or device that is prescribed for a use other than a use approved by the federal Food and Drug Administration if the prescribed drug or device is dispensed pursuant to a valid prescription order.

DSPS estimates a total of \$3,000 in one-time costs and \$21,100 in annual costs for staffing and an indeterminate IT impact to implement the bill. The estimated one-time staffing need for 0.1 limited term employees (LTE) is for rule promulgation, staff training, and forms and sites updates. The estimated annual staffing need for 0.2 full time employees (FTE) is to account for additional workload including responding to inquiries, investigating complaints, and prosecution of cases. The one-time and annual estimated costs cannot be absorbed in the currently appropriated agency budget.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2023 Session

Detailed Estimate of Annual Fiscal Effect

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Description the duty of a pharmacist to dispense lawfully prescribed drugs and devices		
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): One-time costs: \$3,000 - \$2,600 for salary and fringe and \$400 for supplies and services.		
II. Annualized Costs:	Annualized Fiscal Impact on funds from:	
	Increased Costs Decreased Costs	
A. State Costs by Category		
State Operations - Salaries and Fringes	\$18,300	\$
(FTE Position Changes)	(0.2 FTE)	
State Operations - Other Costs	2,800	
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$21,100	\$
B. State Costs by Source of Funds		
GPR		
FED		
PRO/PRS	21,100	
SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT		
	<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS	\$21,100	\$
NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By Authorized Signature Date		
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