

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3349-02
Bill No.: SB 1396
Subject: Boards, Commissions, Committees, Councils; Drugs and Controlled Substances;
Health, Public; Licenses - Professional; Pharmacy, Physicians
Type: Original
Date: March 17, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

The following agencies indicated this proposal would have no fiscal impact on their agencies: **Missouri Consolidated Health Care Plan, Department of Insurance, Department of Professional Registration, Office of Administration - Administrative Hearing Commission, Department of Social Services, Department of Health and Senior Services, Department of Conservation, and Department of Transportation - Highway/Patrol Medical Plan.**

Officials from the **Office of State Courts Administrator** stated this proposal would have no fiscal impact on the Courts.

Officials from the **Office of Attorney General (AGO)** assume that this proposal may create additional costs, as it permits the Board of Pharmacy to refuse to issue certificates of registration to applicants and also allows the Board investigative powers, including the authority to issue subpoenas. AGO assumes that it would be required represent the Board before the Administrative Hearing Commission in the additional circumstances provided for by this proposal. AGO further assumes it would be required to review subpoenas and move in court to enforce subpoenas. AGO assumes that any potential costs arising from this proposal would be minimal, and could be absorbed with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This act modifies the law relating to pharmacists, pharmacies, pharmaceutical services, and drug distributors:

SECTION 338.013

Provides that pharmacy technicians must, at a minimum, be legal working age. The Board of Pharmacy (Board) may place the names of pharmacy technicians who commit certain crimes on the employee disqualification list. The Board is authorized to deny licenses or issue probated licenses to pharmacy technician applicants who have committed certain crimes.

SECTION 338.055

The Board may refuse to issue or renew any certificate of registration or license for incompetence and for denial of licensure in another state, as well as disciplinary action in another state, regardless of whether it is was voluntarily agreed to or not.

SECTION 338.065

The Board may conduct a disciplinary hearing on any person who has failed to renew or has surrendered his or her license based on a finding of guilt against the person for certain crimes.

DESCRIPTION (continued)

SECTION 338.145

The Board, upon a majority vote of the members, shall have the authority to administer oaths, issue subpoenas, and require production of documents and records.

SECTION 338.155

Any person who in good faith reports or provides assistance to the board, shall be immune from civil liability.

SECTION 338.220

Adds two new pharmacy classifications: non- sterile compounding pharmacy and internet pharmacy.

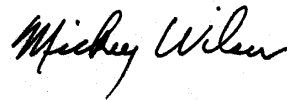
SECTION 338.380

The Board shall have the authority to terminate the distribution of prescription drugs that have been adulterated, misbranded, or stolen.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Economic Development
Division of Professional Registration
Office of Administration
Administrative Hearing Commission
Office of State Courts Administrator
Office of Attorney General
Department of Insurance
Department of Social Services
Department of Health and Senior Services
Missouri Consolidated Health Care Plan
Department of Conservation
Department of Transportation

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
March 17, 2004