

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3666-01
Bill No.: SB 1160
Subject: Drugs and Controlled Substances; Health Care; Health Care Professionals; Health Department; Hospitals; Pharmacy
Type: Original
Date: February 16, 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 STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 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

Officials from the **Department of Social Services** assume this proposal would not fiscally impact their agency.

The **Department of Economic Development- Division of Professional Registration (DED-PR)** did not respond to our fiscal note request. However, in a similar proposal, the DED-PR assumed there would be no fiscal impact.

Officials from the **Department of Health and Senior Services (DOH)** did not respond to our fiscal note request. However, in a similar proposal the DOH stated there would be no fiscal impact as a result of this proposal.

Oversight assumes this proposal would require the DOH to take on additional responsibilities. Since the DOH states there would be no fiscal impact, **Oversight** assumes the DOH plans to absorb any additional costs.

Officials from the **Secretary of State Office (SOS)** state this proposal assigns the Department of Health and Senior Services administration with help from the Department of Economic
ASSUMPTION (continued)

Development, a drug repository program. The Department of Health and Senior Services is charged with creating rules to administer this program, as well as establish fees therefor. These rules would be published in both the *Missouri Register* and the *Code of State Regulations*. These rules could require as many as 48 pages in the *Code of State Regulations* and half again as many pages in the *Missouri Register* because cost statements, fiscal notes and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the Register is \$23 and the estimated cost of a page in the Code is \$27. The actual cost could be more or less than the numbers given. The impact of the legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded or withdrawn. The SOS estimates the cost for FY 05 to be \$2,952.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

<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

Pharmacies that are small business would be required to store these products. Additional staff may be necessary to maintain the inventory and documentation. Additional staff may be needed to review donated medications to determine if the medications are appropriate and acceptable for donation.

DESCRIPTION

This proposal establishes the Prescription Drug Repository Program within the Department of Health and Senior Services by January 1, 2005. The program shall accept and dispense donated

DESCRIPTION (Continued)

prescription drugs to eligible Missouri residents. Only sealed and unopened prescription drugs will be accepted.

Any person or entity may donate prescription drugs at any pharmacy, hospital, or non-profit clinic that elects to participate in the program. These participating pharmacies, hospitals, and non-profit clinics shall dispense the donated prescription drugs to eligible Missouri residents in compliance with federal and state drug laws. Persons receiving the donated prescription drugs may be charged a handling fee. However, the donated prescription drugs must not be resold. Any person or entity who acts in good faith relating to the provisions of this act shall not be subject to civil or criminal liability.

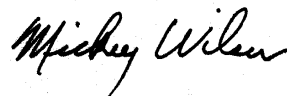
The Director of the Department of Health and Senior Services, in consultation with the State Board of Pharmacy, must promulgate rules to implement this program.

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

Secretary of State
Department of Social Services

Not Responding: Department of Economic Development - Division of Professional Registration and Department of Health and Senior Services



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Director
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