

Bill Summary
1st Session of the 57th Legislature

Bill No.:	SB 242
Version:	INT
Request No.:	744
Author:	Sen. Standridge
Date:	01/11/2019

Bill Analysis

SB 242 creates a registration process for pain-management clinics in the state. Each pain-management clinic must register with the Board of Medical Licensure and Supervision unless otherwise exempted by the measure. Additionally, each location requires a separate registration with the Board and must provide the name of a physician who will ensure the clinic complies with all registration and operational requirements prescribed by the measure. Registered physicians must possess a full, active and unencumbered license. Clinics must inform the Board within ten days of any change to the registered physician's status of employment within the clinic.

All registered clinics must be 100% owned by a licensed physician or physicians. The Board must deny an application if the applicant or applicants were previously denied a license in another jurisdiction, convicted of a felony related to drug diversion, or if their Drug Enforcement Administration number has ever been revoked. This prohibition extends to all owners involved in a pain-management clinic, though an exemption may be granted by the Board if more than ten years have elapsed since the offense.

The measure authorizes the Board to inspect each pain-clinic within the state. Should the Board determine a clinic is noncompliant, the Board may suspend or revoke the clinic's certificate of registration. The Board may employ a representative to inspect facilities across the state. A suspension or revocation of the certificate will result in the clinic ceasing operations and individuals associated with the clinic will not be able to apply for certification for another five years. Additionally, the Board is authorized to charge up to a \$5,000.00 fine for each day of violations associated with this measure.

Physicians are prohibited by the measure from practicing in an unregistered pain-clinic. Any prescriptions involving a controlled substance will require the physician, physician assistant, or advanced practice registered nurse to provide a physical examination of the patient. Each physician employed by the clinic is also responsible for ensuring the facilities operational, safety, and hygiene compliance.

Prepared by: Kalen Taylor

Fiscal Analysis

FY'20 Impact: Pending

Full Year Impact: Pending

SB 242 will allow the Board to conduct onsite inspections and to impose administrative fines for violations. Final impact is pending further discussion with the Board of Medical Licensure.