

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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REVISED

Bill Number: SB212

Patron: Boysko

Bill Title: TPA-certified optometrists; sale and dispensation of Schedule VI controlled substances; requirements.

Bill Summary: Permits TPA-certified optometrists to sell and dispense Schedule VI controlled substances provided that they obtain a license to do so from the Board of Pharmacy and comply with requirements related to dispensation, storage, packaging, labeling, recordkeeping, and reporting of the controlled substances sold and dispensed. The bill directs the Board of Optometry and the Board of Pharmacy to adopt emergency regulations to implement the provisions of the bill and establish a limited license for TPA-certified optometrists pursuant to the act.

Budget Amendment Necessary: No

Items Impacted: n/a

Fiscal Summary: Minimal/absorbable fiscal impact. This fiscal impact is being revised upon the receipt of additional information from the Department of Health Professions.

Fiscal Analysis: This bill allows TPA-certified optometrists to sell and dispense Schedule VI controlled substances under a license from the Board of Pharmacy. Under the provisions of the bill, regulatory boards at the Department of Health Professions (DHP) will be responsible for jointly developing a limited license application, processing applications for the new license type, and validating practitioner eligibility for the limited license. Consistent with similar regulations for the dispensation of controlled substances, the Board of Pharmacy will also need to inspect optometrist offices that sell and dispense Schedule VI controlled substances to ensure compliance with regulations and applicable law.

DHP reports that there are over 800 optometrist office locations in the Commonwealth; based on the implementation of similar licenses in other states, the agency expects that between 10 and 15 percent of eligible optometrists at these locations will apply for the limited license created by this bill. Based on this estimate, the Board of Pharmacy expects that any increase in workload associated with processing applications or conducting inspections can be handled by existing staff. The Board of Pharmacy expects to impose a fee for the limited license in order to generate the nongeneral fund revenue necessary to absorb any costs associated with this workload increase.

This legislation also requires the Board of Pharmacy and the Board of Optometry to promulgate new regulations; it is expected that any impacts associated with this requirement will be minimal and absorbable within existing resources.

Other: SB212 may be a companion to HB1006.