

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

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ORIGINAL

Bill Number: SB212 ER

Patron: Boysko

Bill Title: Schedule VI controlled substances; TPA-certified optometrists to sell and dispense.

Bill Summary: Permits TPA-certified optometrists to sell and dispense Schedule VI controlled substances directly to a patient provided that such sale or dispensation is extended only to the optometrist's own patients and that they obtain a limited-use license from the Board of Pharmacy. The bill limits the Schedule VI controlled substances sold and dispensed to (i) finished pharmaceutical products that are dispensed and soled strictly in accordance with the manufacturer's labeling and are in the manufacturer's original, unaltered form; (ii) drugs intended solely for patient self-administration outside the optometrist's office; and (iii) prescriptions that are topical, ophthalmic, or oral in form. The bill directs the Board of Optometry and the Board of Pharmacy to promulgate regulations that reflect the provisions of the bill and that establish provisions for the storage, packaging, labeling, recordkeeping, and reporting of controlled substances dispensed by a TPA-certified optometrist.

Budget Amendment Necessary: No

Items Impacted: n/a

Fiscal Summary: Minimal/absorbable fiscal impact.

Fiscal Analysis: This bill allows TPA-certified optometrists to sell and dispense Schedule VI controlled substances under a limited-use license from the Board of Pharmacy. Under the provisions of the bill, the Board of Pharmacy will be responsible for developing a limited-use license application, processing applications for the new license type, and validating practitioner eligibility for the limited license. The Department of Health Professions (DHP) is also required to inspect locations wherein TPA-certified optometrists sell or dispense Schedule VI controlled substances pursuant to Chapter 33 of the Code of Virginia, the Drug Control Act, and existing Board of Pharmacy regulations.

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.