ENROLLED SENATE
BILL NO. 1640

By: Johnson (Constance) of the Senate

and

Balkman, Cooksey, DePue, Duncan, Jackson, Shelton, Terrill, Tibbs and Wesselhoft of the House

An Act relating to professions and occupations; amending 63 O.S. 2001, Section 1-1918.2, as renumbered by Section 9, Chapter 374, O.S.L. 2004, and as last amended by Section 1, Chapter 285, O.S.L. 2005 (59 O.S. Supp. 2005, Section 367.3), which relates to unused prescription drugs; deleting obsolete language; authorizing residential care homes to transfer certain prescription drugs under a specified program; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-1918.2, as renumbered by Section 9, Chapter 374, O.S.L. 2004, and as last amended by Section 1, Chapter 285, O.S.L. 2005 (59 O.S. Supp. 2005, Section 367.3), is amended to read as follows:

Section 367.3 A. ~~Beginning January 1, 2005, the~~ The Board of Pharmacy shall implement statewide a program consistent with public health and safety through which unused prescription drugs, other than prescription drugs defined as controlled dangerous substances in Section 2-101 of Title 63 of the Oklahoma Statutes, may be transferred from residential care homes, nursing facilities, assisted living centers, public intermediate care facilities for people with mental retardation (ICF/MR) or pharmaceutical manufacturers to pharmacies operated by a county. If no county pharmacy exists, or if a county pharmacy chooses not to participate, such unused prescription medications may be transferred to a pharmacy operated by a city-county health department or a pharmacy under contract with a city-county health department, a pharmacy operated by the Department of Mental Health and Substance Abuse Services or a charitable clinic for the purpose of distributing the unused prescription medications to Oklahoma residents who are medically indigent.

B. The Board of Pharmacy shall promulgate rules and establish procedures necessary to implement the program established by the Utilization of Unused Prescription Medications Act.

C. The Board of Pharmacy shall provide technical assistance to entities who may wish to participate in the program.

SECTION 2. This act shall become effective November 1, 2006.

Passed the Senate the 2nd day of March, 2006.

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Presiding Officer of the Senate

Passed the House of Representatives the 20th day of April, 2006.

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Presiding Officer of the House
of Representatives