

EHB 1347

THE STATE SENATE
Monday, April 11, 2005

ENGROSSED

House Bill No. 1347

As Amended

ENGROSSED HOUSE BILL NO. 1347 - By: TERRILL and KIESEL of the House
and PADDACK of the Senate.

[**public health and safety - unused prescription medications**
- expanding program - 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
last amended by Section 3, Chapter 374, O.S.L. 2004, and as
renumbered by Section 9, Chapter 374, O.S.L. 2004 (59 O.S. Supp.
2004, Section 367.3), is amended to read as follows:

Section 367.3 A. 1. The State Board of Health, the Board of
Pharmacy and the Oklahoma Health Care Authority shall jointly
develop and implement a ~~pilot~~ program consistent with public health
and safety through which unused prescription drugs, other than
prescription drugs defined as controlled dangerous substances by
Section 2-101 of Title 63 of the Oklahoma Statutes, may be
transferred from nursing facilities and public intermediate care
facilities for people with mental retardation (ICF-MR) to pharmacies
operated by city-county health departments or county pharmacies for

1 the purpose of distributing the medication to Oklahoma residents who
2 are medically indigent.

3 2. The pilot program established pursuant to the provisions of
4 paragraph 1 of this subsection shall conform to the requirements
5 established in rules promulgated by the State Board of Health, the
6 Board of Pharmacy and the Oklahoma Health Care Authority prior to
7 the effective date of this act, and shall remain in effect until
8 January 1, 2005.

9 B. The State Board of Health, the Board of Pharmacy, the
10 Oklahoma Health Care Authority, the State Board of Medical Licensure
11 and Supervision, and the State Board of Osteopathic Examiners shall
12 review and evaluate the pilot program and shall submit a report and
13 any recommendations to the Governor, the Speaker of the Oklahoma
14 House of Representatives, the President Pro Tempore of the State
15 Senate, and the Chairs of the appropriate legislative committees on
16 or before January 1, 2005.

17 C. 1. Beginning January 1, 2005, the Board of Pharmacy shall
18 implement statewide a program consistent with public health and
19 safety through which unused prescription drugs, other than
20 prescription drugs defined as controlled dangerous substances in
21 Section 2-101 of Title 63 of the Oklahoma Statutes, may be
22 transferred from nursing facilities, assisted living centers or
23 pharmaceutical manufacturers to pharmacies operated by a county. If

1 no county pharmacy exists, or if a county pharmacy chooses not to
2 participate, such unused prescription medications may be transferred
3 to a pharmacy operated by a city-county health department or a
4 pharmacy under contract with a city-county health department, a
5 pharmacy operated by the Department of Mental Health and Substance
6 Abuse Services or a charitable clinic for the purpose of
7 distributing the unused prescription medications to Oklahoma
8 residents who are medically indigent.

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

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

14 SECTION 2. This act shall become effective November 1, 2005.

15 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-6-05 - DO
16 PASS, As Amended.