

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1516

By: Inman

4
5
6 AS INTRODUCED

7 An Act relating to professions and occupations;
8 amending 59 O.S. 2001, Section 353.13A, as last
9 amended by Section 1, Chapter 523, O.S.L. 2004 (59
10 O.S. Supp. 2008, Section 353.13A), which relates to
11 prescriptions; directing certain information to be
12 placed on a prescription label in certain
13 circumstance; requiring certain persons to provide
14 specified information; providing exceptions;
15 prohibiting certain act from being admissible
16 evidence of malpractice in litigation; and providing
17 an effective date.

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

19 SECTION 1. AMENDATORY 59 O.S. 2001, Section 353.13A, as
20 last amended by Section 1, Chapter 523, O.S.L. 2004 (59 O.S. Supp.
21 2008, Section 353.13A), is amended to read as follows:

22 Section 353.13A A. Prescriptions received by other than
23 written communication shall be promptly recorded in writing by the
24 pharmacist. The record made by the pharmacist shall constitute the
original prescription to be filled by the pharmacist.

B. 1. Pharmacists may dispense prescriptions for dangerous
drugs and controlled dangerous substances specified in Section 581

1 of this title for ocular abnormalities prescribed by qualified
2 optometrists certified by the Board of Examiners in Optometry to use
3 such dangerous drugs and controlled dangerous substances.

4 2. All prescriptions issued by certified optometrists shall
5 include the certification number of the optometrist as assigned by
6 the Board of Examiners in Optometry. The Board of Examiners in
7 Optometry shall provide an annual list of all certified optometrists
8 directly to each pharmacy licensed by the Oklahoma State Board of
9 Pharmacy. Any additions or deletions in certification shall be
10 mailed to all pharmacies in this state within thirty (30) days of
11 such change.

12 C. 1. A filled prescription label shall include the name and
13 address of the pharmacy of origin, date of filling, name of patient,
14 name of prescriber, directions for administration, and prescription
15 number. ~~The~~ If provided by the practitioner or the practitioner's
16 representative, the symptom or purpose for which the drug is being
17 prescribed may shall also appear on the label, if, after being
18 advised by the. The practitioner, or the practitioner's
19 representative shall provide to the pharmacy of origin the symptom
20 or purpose for which the drug is prescribed unless the patient or
21 the patient's authorized representative so requests otherwise. If
22 the symptom or purpose for which a drug is being prescribed is not
23 provided by the practitioner or the practitioner's representative,
24 pursuant to the request of the patient or authorized representative

1 of the patient, the pharmacist may fill the prescription order
2 without contacting the practitioner, patient, or the patient's
3 authorized representative.

4 2. The label shall also include the trade or generic name, and
5 the quantity and strength of the drug therein contained, except when
6 otherwise directed by the prescriber. ~~This requirement~~

7 3. The requirements of this subsection shall not apply to
8 compounded prescriptions or medicines and drugs supplied or
9 delivered directly to patients for consumption on the premises while
10 admitted to any hospital or mental institution.

11 4. Failure to provide the symptom or purpose for which the drug
12 is prescribed on the label shall not be admissible evidence of
13 malpractice in litigation.

14 D. No prescription shall be written in any characters, figures
15 or ciphers other than in the English or Latin language, generally in
16 use among medical and pharmaceutical practitioners.

17 SECTION 2. This act shall become effective November 1, 2009.

18

19 52-1-6291 SAB 01/02/09

20

21

22

23

24