

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1175, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Brecheen

Brecheen-DC-FS-Req#3491
3/8/2018 4:03 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 1175

By: Brecheen of the Senate

and

Ritze of the House

FLOOR SUBSTITUTE

[Uniform Controlled Dangerous Substances Act -
dispensers - codification - conditional effective
date - effective date]

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 2-309C, as
last amended by Section 73, Chapter 15, O.S.L. 2013 (63 O.S. Supp.
2017, Section 2-309C), is amended to read as follows:

Section 2-309C. A. A dispenser of a Schedule II, III, IV or V
controlled dangerous substance or of medical marijuana dispensed
pursuant to a valid prescription shall transmit to a central
repository designated by the Oklahoma State Bureau of Narcotics and
Dangerous Drugs Control using the American Society for Automation in
Pharmacy's (ASAP) Telecommunications Format for Controlled
Substances version designated in rules by the Oklahoma State Bureau

1 of Narcotics and Dangerous Drugs Control, the following information
2 for each dispensation:

- 3 1. Recipient's and recipient's agent's name;
- 4 2. Recipient's and recipient's agent's address;
- 5 3. Recipient's and recipient's agent's date of birth;
- 6 4. Recipient's and recipient's agent's identification number;
- 7 5. National Drug Code number of the substance dispensed;
- 8 6. Date of the dispensation;
- 9 7. Quantity of the substance dispensed;
- 10 8. Prescriber's United States Drug Enforcement Agency

11 registration number;

- 12 9. Dispenser's registration number; and
- 13 10. Other information as required by administrative rule.

14 B. The information required by this section shall be
15 transmitted:

- 16 1. In a format or other media designated acceptable by the
17 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; and
- 18 2. Within twenty-four (24) hours of the time that the substance
19 is dispensed. Beginning January 1, 2012, all information shall be
20 submitted on a real-time log.

21 C. When a prescription is written or dispensed to a resident of
22 a nursing home or a person who is under the care of a hospice
23 program licensed pursuant to the provisions of the Oklahoma Hospice
24 Licensing Act who does not have an identification card issued by the

1 state or another form of a recipient identification number pursuant
2 to Section 2-309B of this title, a Social Security number may be
3 used for the purpose of complying with the reporting requirements
4 provided for in this section.

5 D. Willful failure to transmit accurate information as required
6 by this section shall be a misdemeanor punishable, upon conviction,
7 by not more than one (1) year in the county jail, or by a fine of
8 not more than One Thousand Dollars (\$1,000.00), or by both such
9 imprisonment and fine, or administrative action may be taken
10 pursuant to Section 2-304 of this title.

11 E. The Director of the Bureau shall have the authority to allow
12 paper submissions on a form designated by the Oklahoma State Bureau
13 of Narcotics and Dangerous Drugs Control, if the dispenser has an
14 appropriate hardship.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 2-309C.1 of Title 63, unless
17 there is created a duplication in numbering, reads as follows:

18 As used in this act, "medical marijuana" means marijuana
19 purchased pursuant to a valid prescription issued by a licensed
20 practitioner in this state from an establishment registered to sell
21 medical marijuana by the State Department of Health to a person
22 authorized under the laws of this state to purchase medical
23 marijuana. As used in this act, "medical marijuana" shall not
24

1 include cannabidiol as outlined in Section 2-101 of Title 63 of the
2 Oklahoma Statutes.

3 SECTION 3. This act shall only become effective upon
4 certification of election returns favoring passage of State Question
5 No. 788.

6 SECTION 4. This act shall become effective September 1, 2018.

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8 56-2-3491 DC 3/8/2018 4:03:18 PM

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