

**COMMITTEE AMENDMENT**

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1246 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Charles McCall

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

PROPOSED COMMITTEE  
SUBSTITUTE  
FOR  
HOUSE BILL NO. 1246

By: McCall and Pfeiffer of the  
House

and

Treat of the Senate

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to public health; amending 63 O.S.  
2011, Section 2-309C, as last amended by Section 73,  
Chapter 15, O.S.L. 2013 (63 O.S. Supp. 2020, Section  
2-309C), which relates to dispensers of controlled  
dangerous substances; allowing use of a Social  
Security number when a state-issued identification  
card is expired; and declaring an emergency.

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.  
2020, 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 dispensed pursuant to a valid  
prescription shall transmit to a central repository designated by  
the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control

1 using the American Society for Automation in Pharmacy's (ASAP)  
2 Telecommunications Format for Controlled Substances version  
3 designated in rules by the Oklahoma State Bureau of Narcotics and  
4 Dangerous Drugs Control, the following information for each  
5 dispensation:

- 6 1. Recipient's and recipient's agent's name;
- 7 2. Recipient's and recipient's agent's address;
- 8 3. Recipient's and recipient's agent's date of birth;
- 9 4. Recipient's and recipient's agent's identification number;
- 10 5. National Drug Code number of the substance dispensed;
- 11 6. Date of the dispensation;
- 12 7. Quantity of the substance dispensed;
- 13 8. Prescriber's United States Drug Enforcement Agency  
14 registration number;
- 15 9. Dispenser's registration number; and
- 16 10. Other information as required by administrative rule.

17 B. The information required by this section shall be  
18 transmitted:

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

1 C. When a prescription is written or dispensed to a resident of  
2 a nursing home or a person who is under the care of a hospice  
3 program licensed pursuant to the provisions of the Oklahoma Hospice  
4 Licensing Act who does not have an identification card issued by the  
5 state or another form of a recipient identification number pursuant  
6 to Section 2-309B of this title, a Social Security number may be  
7 used for the purpose of complying with the reporting requirements  
8 provided for in this section.

9 D. When a prescription is written or dispensed to a person  
10 whose state-issued identification card has been expired for no more  
11 than one (1) year, and who does not possess another form of a  
12 recipient identification number pursuant to Section 2-309B of this  
13 title, a Social Security number may be used for the purpose of  
14 complying with the reporting requirements provided for in this  
15 section.

16 E. Willful failure to transmit accurate information as required  
17 by this section shall be a misdemeanor punishable, upon conviction,  
18 by not more than one (1) year in the county jail, or by a fine of  
19 not more than One Thousand Dollars (\$1,000.00), or by both such  
20 imprisonment and fine, or administrative action may be taken  
21 pursuant to Section 2-304 of this title.

22 ~~E.~~ F. The Director of the Bureau shall have the authority to  
23 allow paper submissions on a form designated by the Oklahoma State  
24

1 Bureau of Narcotics and Dangerous Drugs Control, if the dispenser  
2 has an appropriate hardship.

3 SECTION 2. It being immediately necessary for the preservation  
4 of the public peace, health or safety, an emergency is hereby  
5 declared to exist, by reason whereof this act shall take effect and  
6 be in full force from and after its passage and approval.

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8 58-1-7886 AB 03/08/21

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