

1 ENGROSSED HOUSE
2 BILL NO. 1246

By: McCall, Hill, Fugate, Baker, Bashore,
Bell, Bennett, Blancett, Boatman,
Boles, Brewer, Burns, Bush, Caldwell
(Chad), Caldwell (Trey), Conley,
Cornwell, Crosswhite Hader, Cruz,
Culver, Davis, Dempsey, Dills,
Dobrinski, Dollens, Echols, Fetgatter,
Ford, Frix, Gann, Goodwin, Grego,
Hardin (David), Hardin (Tommy),
Hasenbeck, Hilbert, Humphrey, Johns,
Kannady, Kendrix, Kerbs, Lawson,
Lepak, Lowe (Dick), Lowe (Jason),
Luttrell, Manger, Marti, Martinez,
May, McBride, McDugle, McEntire,
Miller, Mize, Moore, Munson, Newton,
Nichols, Nollan, O'Donnell, Olsen,
Osburn, Pae, Patzkowsky, Pfeiffer,
Phillips, Pittman, Provenzano,
Randleman, Ranson, Roberts (Dustin),
Roberts (Eric), Roberts (Sean), Roe,
Rosecrants, Russ, Sims, Smith, Sneed,
Stark, Steagall, Stearman, Sterling,
Stinson, Strom, Talley, Townley,
Turner, Vancuren, Virgin, Waldron,
Walke, Wallace, West (Josh), West
(Kevin), West (Rick), West (Tammy),
Williams, Wolfley and Worthen of the
House

and

Treat of the Senate

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.

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

2 SECTION 1. AMENDATORY 63 O.S. 2011, Section 2-309C, as
3 last amended by Section 73, Chapter 15, O.S.L. 2013 (63 O.S. Supp.
4 2020, Section 2-309C), is amended to read as follows:

5 Section 2-309C. A. A dispenser of a Schedule II, III, IV or V
6 controlled dangerous substance dispensed pursuant to a valid
7 prescription shall transmit to a central repository designated by
8 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control
9 using the American Society for Automation in Pharmacy's (ASAP)
10 Telecommunications Format for Controlled Substances version
11 designated in rules by the Oklahoma State Bureau of Narcotics and
12 Dangerous Drugs Control, the following information for each
13 dispensation:

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

1 B. The information required by this section shall be
2 transmitted:

3 1. In a format or other media designated acceptable by the
4 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; and

5 2. Within twenty-four (24) hours of the time that the substance
6 is dispensed. Beginning January 1, 2012, all information shall be
7 submitted on a real-time log.

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

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

23 E. Willful failure to transmit accurate information as required
24 by this section shall be a misdemeanor punishable, upon conviction,

1 by not more than one (1) year in the county jail, or by a fine of
2 not more than One Thousand Dollars (\$1,000.00), or by both such
3 imprisonment and fine, or administrative action may be taken
4 pursuant to Section 2-304 of this title.

5 ~~E.~~ F. The Director of the Bureau shall have the authority to
6 allow paper submissions on a form designated by the Oklahoma State
7 Bureau of Narcotics and Dangerous Drugs Control, if the dispenser
8 has an appropriate hardship.

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

13 Passed the House of Representatives the 9th day of March, 2021.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ____ day of _____, 2021.

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Presiding Officer of the Senate

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