

An Act

ENROLLED SENATE
BILL NO. 782

By: Garvin of the Senate

and

McEntire of the House

An Act relating to pharmacy; amending 59 O.S. 2011, Section 367.8, as amended by Section 11, Chapter 106, O.S.L. 2018 (59 O.S. Supp. 2020, Section 367.8), which relates to maintenance of drugs in emergency medication kits by pharmacies; requiring pharmacy to establish certain policy and procedures; specifying entity that maintains emergency medication kits; authorizing pharmacy to establish pharmacy designee for specified purpose; requiring pharmacy to register emergency medication kit as pharmacy location and comply with certain requirements; providing limits for controlled dangerous substances; requiring prescription and reporting; and providing an effective date.

SUBJECT: Emergency medication kits

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

SECTION 1. AMENDATORY 59 O.S. 2011, Section 367.8, as amended by Section 11, Chapter 106, O.S.L. 2018 (59 O.S. Supp. 2020, Section 367.8), is amended to read as follows:

Section 367.8. A. A pharmacy may maintain drugs in an emergency medication kit ~~used at~~ for dispensation in a facility as provided by this section. The pharmacy shall establish a policy and procedures governing the maintenance and dispensation of such drugs in accordance with the provisions of this section. The drugs may be used only for the emergency medication needs of a resident at the

facility. ~~A~~ The pharmacy may shall maintain the drugs in an the emergency medication kit for any the facility.

B. The pharmacy may establish a pharmacy designee at the facility who shall be responsible for transmitting required information for dispensation of controlled dangerous substances to the central repository of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control as provided by the Anti-Drug Diversion Act.

C. The pharmacy shall register the emergency medication kit as a pharmacy location with the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control and shall comply with the requirements for controlled dangerous substances prescribed by rules of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission.

D. The State Board of Pharmacy shall promulgate rules relating to emergency medication kits, including, but not limited to:

1. The amount and type of drugs that may be maintained in an emergency medication kit. The total volume of each controlled dangerous substance shall be limited to the lesser of three doses per licensed bed or sixty individual doses. Controlled dangerous substances stored in emergency medication kits must be dispensed pursuant to a valid prescription and shall be reported to the registered pharmacy;

2. Procedures regarding the use of drugs from an emergency medication kit;

3. Recordkeeping requirements; and

4. Security requirements.

~~E.~~ E. As used in this section, "facility" means a facility as defined by the Nursing Home Care Act or an assisted living center as defined by the Continuum of Care and Assisted Living Act.

SECTION 2. This act shall become effective November 1, 2021.

Passed the Senate the 10th day of March, 2021.

Presiding Officer of the Senate

Passed the House of Representatives the 21st day of April, 2021.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____