

# An Act

ENROLLED HOUSE  
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 and Bergstrom 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.

SUBJECT: Public health

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

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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 11th day of March, 2021.

\_\_\_\_\_  
Presiding Officer of the Senate

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: \_\_\_\_\_