

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 782, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Garvin

Garvin-DC-FS-Req#1984
3/9/2021 8:45 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 782

By: Garvin of the Senate

and

McEntire of the House

FLOOR SUBSTITUTE

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.

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

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

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

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

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

19 1. The amount and type of drugs that may be maintained in an
20 emergency medication kit. The total volume of each controlled
21 dangerous substance shall be limited to the lesser of three doses
22 per licensed bed or sixty individual doses. Controlled dangerous
23 substances stored in emergency medication kits must be dispensed
24

1 pursuant to a valid prescription and shall be reported to the
2 registered pharmacy;

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

5 3. Recordkeeping requirements; and

6 4. Security requirements.

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

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

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12 58-1-1984 DC 3/9/2021 8:45:25 PM
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