

CORRECTED

HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1246

By: McCall, **Hill** and **Fugate** of
the House

and

Treat of the Senate

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

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

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

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

- 21 1. In a format or other media designated acceptable by the
22 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; and
23
24

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

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

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

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

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

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

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10 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/08/2021 - DO PASS,
11 As Amended and Coauthored.