

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 ENGROSSED SENATE  
5 BILL NO. 782

By: Garvin of the Senate

and

6 McEntire of the House  
7  
8

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

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

24 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

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

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

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

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

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

- 1        2. Procedures regarding the use of drugs from an emergency
- 2 medication kit;
- 3        3. Recordkeeping requirements; and
- 4        4. Security requirements.

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

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

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10 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 04/07/2021 -  
11 DO PASS.

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