

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL NO. 1698

By: Rader

AS INTRODUCED

An Act relating to controlled dangerous substances; amending 63 O.S. 2021, Section 2-315, which relates to submission of out-of-date controlled dangerous substances for destruction; authorizing hospice program to submit controlled dangerous substances for destruction under certain conditions; requiring submission of certain form; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 2-315, is amended to read as follows:

Section 2-315. A. 1. Except as otherwise provided by law, any person required to obtain an annual registration pursuant to Section 2-302 of this title, or any group home, or residential care home as defined by Section 1-820 of this title shall submit for destruction all controlled dangerous substances which are out of date, which are unwanted, unused or which are abandoned by their owner at their facility due to death or other circumstances.

2. In the case of a decedent who was receiving at-home hospice care at the time of death, a physician, physician assistant, nurse,

1 or other person employed by a registered hospice program, while  
2 acting within the scope of his or her employment, may submit for  
3 destruction any unused quantity of controlled dangerous substances  
4 that were lawfully dispensed to the decedent prior to death. Such  
5 employee shall, under penalty of perjury, complete, sign, and submit  
6 any required form as described in subsection B of this section,  
7 which shall also be signed by a witness who is either another  
8 employee of the hospice program or a family member of the decedent.

9 B. All controlled dangerous substances described in subsection  
10 A of this section shall be submitted to the Oklahoma City laboratory  
11 of the Oklahoma State Bureau of Investigation, along with all  
12 required information on forms provided by the Oklahoma State Bureau  
13 of Investigation, to the federal Drug Enforcement Administration, to  
14 a duly registered reverse distributor, to the original registered  
15 supplier or their registered agent, to a duly registered retail  
16 pharmacy, or to a hospital or clinic with an on-site pharmacy  
17 pursuant to the rules set forth in Part 1317 of Title 21 of the Code  
18 of Federal Regulations. When any such substance is transported by  
19 private contract or common carrier or United States Postal Service  
20 for the purpose of destruction, the sender shall require a receipt  
21 from such private contract or common carrier or United States Postal  
22 Service, and such receipt shall be retained as a permanent record by  
23 the sender.

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1 C. Controlled dangerous substances submitted to the Oklahoma  
2 State Bureau of Investigation pursuant to the provisions of this  
3 section shall be destroyed pursuant to the procedures provided in  
4 subsection A of Section 2-508 of this title.

5 Controlled dangerous substances submitted to any distributors,  
6 reverse distributors or their original registered suppliers pursuant  
7 to the provisions of this section shall be destroyed by incineration  
8 so as to make the substance absolutely unusable for human purposes.  
9 An official record listing the property destroyed, the location of  
10 destruction and disposal, and the name and title of the person  
11 supervising the destruction and disposal shall be submitted to the  
12 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control and  
13 the federal Drug Enforcement Administration office located nearest  
14 the destruction site.

15 D. The Office of the Chief Medical Examiner is hereby  
16 authorized to perform on-site incineration of all controlled  
17 dangerous substances which are obtained in the discharge of the  
18 official duties of the Chief Medical Examiner. Any record relating  
19 to destruction of a controlled dangerous substance shall be  
20 maintained as required by the state or federal government and shall  
21 be available for inspection by appropriate state or federal  
22 government regulatory agencies.

23 E. This section shall constitute a part of the Uniform  
24 Controlled Dangerous Substances Act.

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SECTION 2. This act shall become effective November 1, 2024.

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