

1 HB54
2 146354-2
3 By Representative Greeson
4 RFD: County and Municipal Government
5 First Read: 05-FEB-13
6 PFD: 01/24/2013

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ENROLLED, An Act,

To amend Section 14-1-19 of the Code of Alabama 1975, providing for the redispensing under certain conditions of unused prescription drugs by pharmacies operated in correctional facilities, to include pharmacies in county jails within the pharmacies authorized to redispense unused prescription drugs.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 14-1-19 of the Code of Alabama 1975, is amended to read as follows:

"§14-1-19.

"(a) As used in this section, the following terms shall have the following meanings:

"(1) CORRECTIONS FACILITY. Any facility or program controlled or operated by the state Department of Corrections or any of its agencies or departments and supported wholly or in part by state funds for the correctional care of persons or any county jail operated and controlled by the county sheriff and a county.

"(2) CUSTOMIZED PATIENT MEDICATION PACKAGE. A package that is prepared by a pharmacist for a specific patient and that contains two or more prescribed solid oral dosage forms.

1 "(3) REPACKAGING. The process by which the pharmacy
2 prepares a prescription it accepts pursuant to this section in
3 a unit-dose package, unit-of-issue package or customized
4 patient medication package for immediate dispensing in
5 accordance with a current prescription.

6 "(4) UNIT-DOSE PACKAGE. A package that contains a
7 single-dose drug with the name, strength, control number, and
8 expiration date of that drug on the label.

9 "(5) UNIT-OF-ISSUE PACKAGE. A package that provides
10 multiple doses of the same drug, but each drug is individually
11 separated and includes the name, lot number, and expiration
12 date of the drug.

13 "(b) A pharmacy operated by the Alabama Department
14 of Corrections or by a county for a county jail or operated by
15 a company under contract with the Alabama Department of
16 Corrections or with a county for a county jail, shall accept
17 for the purpose of redispensing a prescription drug that has
18 been dispensed and has left the control of the pharmacy or
19 pharmacist if the prescription drug is being returned by a
20 corrections facility that has met the requirements of routine
21 on-site inspections by the pharmacy or pharmacist and has a
22 registered professional nurse or a licensed practical nurse
23 who is responsible for the security, handling, and
24 administration of prescription drugs within that corrections
25 facility and if all of the following conditions are met:

1 "(1) The pharmacy or pharmacist is satisfied that
2 the conditions under which the prescription drug has been
3 delivered, stored, and handled before and during its return
4 were such as to prevent damage, deterioration, or
5 contamination that would adversely affect the identity,
6 strength, quality, purity, stability, integrity, or
7 effectiveness of the prescription drug.

8 "(2) The pharmacist is satisfied that the
9 prescription drug did not leave the control of the registered
10 professional nurse or licensed practical nurse responsible for
11 the security, handling, and administration of that
12 prescription drug and that the prescription drug did not come
13 into the physical possession of the individual for whom it was
14 prescribed.

15 "(3) The pharmacist is satisfied that the labeling
16 and packaging of the prescription drug are accurate, have not
17 been altered, defaced, or tampered with and include the
18 identity, strength, expiration date, and lot number of the
19 prescription drug.

20 "(4) The prescription drug was dispensed in a
21 unit-dose package or unit-of-issue package.

22 "(c) A pharmacy operated by the Alabama Department
23 of Corrections or by a county for a county jail or operated by
24 a company under contract with the Alabama Department of
25 Corrections or with a county for a county jail shall not

1 accept for return prescription drugs as provided pursuant to
2 this section until the pharmacist in charge develops a written
3 set of protocols for accepting, returning to stock,
4 repackaging, labeling, and redispensing prescription drugs.
5 The written protocols shall be maintained on the premises of
6 any pharmacy dispensing prescriptions for the Alabama
7 Department of Corrections or a county jail and shall be
8 readily accessible to each pharmacist on duty. The written
9 protocols shall include, at a minimum, each of the following:

10 "(1) Methods for ensuring that damage,
11 deterioration, or contamination has not occurred during the
12 delivery, handling, storage, or return of the prescription
13 drugs such that it would adversely affect the identity,
14 strength, quality, purity, stability, integrity, or
15 effectiveness of the prescription drugs or otherwise render
16 the drugs unfit for distribution.

17 "(2) Methods for accepting, returning to stock,
18 repackaging, labeling, and redispensing the prescription drugs
19 returned pursuant to this section.

20 "(3) A uniform system of recording and tracking
21 prescription drugs that are returned to stock, repackaged,
22 labeled, and redistributed pursuant to this section.

23 "(d) If the condition of a prescription drug and its
24 package meets the standards set forth in subsection (c), a

1 prescription drug shall be returned to stock and redistributed
2 as follows:

3 "(1) A prescription drug that was originally
4 dispensed in the manufacturer's unit-dose package or
5 unit-of-issue package that is returned in that same package
6 may be returned to stock, repackaged, and redispensed as
7 needed.

8 "(2) A prescription drug that is repackaged into a
9 unit-dose package or a unit-of-issue package by the pharmacy,
10 dispensed and returned to that pharmacy in that unit-dose
11 package or unit-of-issue package may be returned to stock, but
12 it shall not be repackaged. A unit-dose package or
13 unit-of-issue package prepared by the pharmacist and returned
14 to stock shall only be redispensed in that same unit-dose
15 package or unit-of-issue package and shall only be redispensed
16 once. A pharmacist shall not add unit-dose package drugs to a
17 partially used unit-of-issue package.

18 "(e) This section does not apply to any of the
19 following:

20 "(1) A controlled substance.

21 "(2) A prescription drug that is dispensed as part
22 of a customized patient medication package.

23 "(3) A prescription drug that is not dispensed as a
24 unit-dose package or a unit-of-issue package.

1 "(4) A prescription drug that is not properly
2 labeled with the identity, strength, lot number, and
3 expiration date."

4 Section 2. This act shall become effective
5 immediately following its passage and approval by the
6 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 04-APR-13.

Jeff Woodard
Clerk

Senate

20-MAY-13

Passed