

SENATE BILL 1255

J1, J2

8lr1268
CF HB 601

By: **Senators Nathan–Pulliam, Astle, Bates, Feldman, Guzzone, Kagan, King, Klausmeier, Lee, Manno, Peters, Robinson, Salling, and Young**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session
Introduced and read first time: March 6, 2018

Assigned to: Rules

Re–referred to: Finance, March 9, 2018

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 26, 2018

CHAPTER _____

1 AN ACT concerning

2 **Public Health – Opioids – Dispensing Requirement**

3 FOR the purpose of ~~requiring~~ authorizing a pharmacist dispensing a drug classified as an
4 opioid ~~to be dispensed with a~~ to offer to sell or distribute to the recipient a certain
5 nontoxic composition ~~designed to permanently and chemically sequester or~~
6 ~~deactivate the drug and be used for disposal of the drug~~ at certain times; establishing
7 that a certain provision of this Act does not relieve a person from certain
8 requirements of law regarding controlled dangerous substances; and generally
9 relating to the dispensing of opioids.

10 BY adding to

11 Article – Health – General

12 Section 21–221.1

13 Annotated Code of Maryland

14 (2015 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Health – General

17 Section 21–222

18 Annotated Code of Maryland

19 (2015 Replacement Volume and 2017 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Health – General**

4 **21-221.1.**

5 ~~A DRUG THAT IS CLASSIFIED AS AN OPIOID SHALL BE DISPENSED WITH A~~
6 ~~NONTOXIC COMPOSITION DESIGNED TO:~~

7 ~~(1) PERMANENTLY AND CHEMICALLY SEQUESTER OR DEACTIVATE~~
8 ~~THE DRUG; AND~~

9 ~~(2) BE USED TO DISPOSE OF ANY UNUSED, UNWANTED, OR EXPIRED~~
10 ~~PORTION OF THE DRUG.~~

11 A PHARMACIST DISPENSING A DRUG THAT IS CLASSIFIED AS AN OPIOID MAY
12 OFFER TO SELL OR DISTRIBUTE TO THE RECIPIENT OF THE DRUG A NONTOXIC
13 COMPOSITION FOR THE SEQUESTRATION OR DEACTIVATION OF THE DRUG AND THE
14 DISPOSAL OF ANY UNUSED, UNWANTED, OR EXPIRED PORTION OF THE
15 PRESCRIPTION AT:

16 (1) THE FIRST TIME THE PRESCRIPTION IS FILLED; AND

17 (2) THE FIRST TIME THE PRESCRIPTION IS FILLED AFTER A CHANGE
18 IN THE DOSAGE IS PRESCRIBED.

19 21-222.

20 Nothing in § 21-220, § 21-221, or [§ 21-221] § 21-221.1 of this subtitle relieves
21 any person from any requirement imposed by law with respect to any drug that is classified
22 as a controlled dangerous substance within the meaning of Title 5 of the Criminal Law
23 Article or the applicable federal law.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 ~~October~~ July 1, 2018.