

1 **CORRECTED**

2
3 STATE OF OKLAHOMA

4 1st Session of the 58th Legislature (2021)

5 COMMITTEE SUBSTITUTE

6 FOR

HOUSE BILL NO. 1246

By: McCall of the House

7 and

8 Treat of the Senate

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11 COMMITTEE SUBSTITUTE

12 An Act relating to public health; amending 63 O.S.
13 2011, Section 2-309C, as last amended by Section 73,
14 Chapter 15, O.S.L. 2013 (63 O.S. Supp. 2020, Section
15 2-309C), which relates to dispensers of controlled
16 dangerous substances; allowing use of a Social
17 Security number when a state-issued identification
18 card is expired; and declaring an emergency.

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

19 SECTION 1. AMENDATORY 63 O.S. 2011, Section 2-309C, as
20 last amended by Section 73, Chapter 15, O.S.L. 2013 (63 O.S. Supp.
21 2020, Section 2-309C), is amended to read as follows:

22 Section 2-309C. A. A dispenser of a Schedule II, III, IV or V
23 controlled dangerous substance dispensed pursuant to a valid
24 prescription shall transmit to a central repository designated by

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

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

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

- 20 1. In a format or other media designated acceptable by the
21 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; and
- 22 2. Within twenty-four (24) hours of the time that the substance
23 is dispensed. Beginning January 1, 2012, all information shall be
24 submitted on a real-time log.

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

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

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

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

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

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8 58-1-7903 LRB 03/08/21

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