

1 ENGROSSED SENATE
2 BILL NO. 1175

By: Brecheen of the Senate

3 and

4 Ritze of the House

5
6 [Uniform Controlled Dangerous Substances Act -
7 dispensers - codification - conditional effective
8 date - effective date]
9

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

11 SECTION 1. AMENDATORY 63 O.S. 2011, Section 2-309C, as
12 last amended by Section 73, Chapter 15, O.S.L. 2013 (63 O.S. Supp.
13 2017, Section 2-309C), is amended to read as follows:

14 Section 2-309C. A. A dispenser of a Schedule II, III, IV or V
15 controlled dangerous substance or of medical marijuana dispensed
16 pursuant to a valid prescription shall transmit to a central
17 repository designated by the Oklahoma State Bureau of Narcotics and
18 Dangerous Drugs Control using the American Society for Automation in
19 Pharmacy's (ASAP) Telecommunications Format for Controlled
20 Substances version designated in rules by the Oklahoma State Bureau
21 of Narcotics and Dangerous Drugs Control, the following information
22 for each dispensation:

- 23 1. Recipient's and recipient's agent's name;
24 2. Recipient's and recipient's agent's address;

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

10 B. The information required by this section shall be
11 transmitted:

12 1. In a format or other media designated acceptable by the
13 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; and

14 2. Within twenty-four (24) hours of the time that the substance
15 is dispensed. Beginning January 1, 2012, all information shall be
16 submitted on a real-time log.

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

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

7 E. The Director of the Bureau shall have the authority to allow
8 paper submissions on a form designated by the Oklahoma State Bureau
9 of Narcotics and Dangerous Drugs Control, if the dispenser has an
10 appropriate hardship.

11 SECTION 2. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 2-309C.1 of Title 63, unless
13 there is created a duplication in numbering, reads as follows:

14 As used in this act, "medical marijuana" means marijuana
15 purchased pursuant to a valid prescription issued by a licensed
16 practitioner in this state from an establishment registered to sell
17 medical marijuana by the State Department of Health to a person
18 authorized under the laws of this state to purchase medical
19 marijuana. As used in this act, "medical marijuana" shall not
20 include cannabidiol as outlined in Section 2-101 of Title 63 of the
21 Oklahoma Statutes.

22 SECTION 3. This act shall only become effective upon
23 certification of election returns favoring passage of State Question
24 No. 788.

