SENATE FLOOR VERSION
February 27, 2017

SENATE BILL NO. 771 By: Standridge

An Act relating to controlled dangerous substances; amending 59 O.S. 2011, Section 355.1, as amended by Section 21, Chapter 230, O.S.L. 2015 (59 O.S. Supp. 2016, Section 355.1), which relates to dispensing; restricting dispensing authority for certain persons; specifying permitted purposes for dispensing; providing exemptions; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2011, Section 355.1, as amended by Section 21, Chapter 230, O.S.L. 2015 (59 O.S. Supp. 2016, Section 355.1), is amended to read as follows:

Section 355.1. A. Except as provided for in Section 353.1 et seq. of this title, only a licensed practitioner may dispense dangerous drugs to such practitioner's patients, and only for the expressed purpose of serving the best interests and promoting the welfare of such patients, including:

1. In connection with a surgical procedure and in an amount not to exceed a fourteen (14) day supply; or

2. In the administration of a controlled clinical trial.

B. The dangerous drugs shall be dispensed in an appropriate container to which a label has been affixed. Such label shall include the name and office address of the licensed practitioner, date dispensed, name of patient, directions for administration, prescription number, the trade or generic name and the quantity and strength, not meaning ingredients, of the drug therein contained; provided, this requirement shall not apply to compounded medicines. The licensed practitioner shall keep a suitable book, file or record in which shall be preserved for a period of not less than five (5) years a record of every dangerous drug compounded or dispensed by the licensed practitioner.

~~B.~~ C. A prescriber desiring to dispense dangerous drugs pursuant to this section shall register annually with the appropriate licensing board as a dispenser, through a regulatory procedure adopted and prescribed by such licensing board.

~~C.~~ D. A prescriber who dispenses professional samples to patients shall be exempt from the requirement of subsection ~~B~~ C of this section if:

1. The prescriber furnishes the professional samples to the patient in the package provided by the manufacturer;

2. No charge is made to the patient; and

3. An appropriate record is entered in the patient's chart.

~~D.~~ E. This section shall not apply to the services provided through the State Department of Health, city/county health

departments, or the Department of Mental Health and Substance Abuse Services.

~~E.~~ F. This section shall not apply to organizations and services incorporated as state or federal tax-exempt charitable nonprofit entities and/or organizations and services receiving all or part of their operating funds from a local, state or federal governmental entity; provided, such organizations and services shall comply with the labeling and recordkeeping requirements set out in subsection ~~A~~ B of this section.

G. This section shall not apply to physicians administering perioperative medication, including but not limited to general anesthesia, provided such administration is performed within the scope of practice of the physician.

SECTION 2. This act shall become effective November 1, 2017.

COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
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