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H.531

Introduced by Representatives Till of Jericho, Andrews of Rutland City, Bohi
of Hartford, Browning of Arlington, Cheney of Norwich,
Christie of Hartford, Courcelle of Rutland City, Dakin of
Chester, Deen of Westminster, Evans of Essex, Frank of
Underhill, French of Randolph, Gilbert of Fairfax, Jerman of
Essex, Lenex of Shelburne, Macaig of Williston, Malcolm of
Pawlet, Martin of Wolcott, Masland of Thetford, Miller of
Shaftsbury, Munger of South Burlington, Nuovo of Middlebury,
O'Sullivan of Burlington, Poirier of Barre City, Russell of
Rutland City, Spengler of Colchester, Stuart of Brattleboro,
Waite-Simpson of Essex, Wilson of Manchester, Wizowaty of
Burlington, Yantachka of Charlotte and Zagar of Barnard

Referred to Committee on

Date:

Subject: Health; possession and control of regulated drugs; prescription;
pharmacy

Statement of purpose: This bill proposes to require a physician to write a
patient's date of birth and the amount prescribed both in numeric and word
form to indicate quantity when prescribing a controlled substance. This bill

1 also proposes to establish a security code for each doctor to use when ordering
2 a prescription for a controlled substance over the telephone.

3 An act relating to prescribing a controlled substance

4 It is hereby enacted by the General Assembly of the State of Vermont:

5 Sec. 1. 18 V.S.A. § 4201(26) is amended to read:

6 (26) "Prescription" means an order for a regulated drug made by a
7 physician, dentist, or veterinarian licensed under this chapter to prescribe such
8 a drug which shall be in writing except as otherwise specified ~~herein~~ in this
9 subdivison. Prescriptions for such drugs shall be made to the order of an
10 individual patient, dated as of the day of issue and signed by the prescriber.
11 The prescription shall bear the full name and address of the patient, or if the
12 patient is an animal, the name and address of the owner of the animal and the
13 species of the animal. Such prescription shall also bear the full name, address,
14 date of birth of the patient, and registry number of the prescriber and shall be
15 written with ink, indelible pencil, or typewriter; if typewritten, it shall be
16 signed by the physician. A prescription for a controlled substance, as defined
17 in 21 C.F.R. Part 1308, shall contain the quantity of the drug written both in
18 numeric and word form.

1 Sec. 2. 26 V.S.A. § 2032(c) is amended to read:

2 (c) The board of pharmacy shall also have the following responsibilities in
3 regard to medications, drugs, devices, and other materials used in this state in
4 the diagnosis, mitigation, and treatment or prevention of injury, illness, and
5 disease:

6 (1) The regulation of the sale at retail and the dispensing of medications,
7 drugs, devices, and other materials, including the right to seize any such drugs,
8 devices, and other materials found to be detrimental to the public health and
9 welfare by the board pursuant to an appropriate hearing as required under the
10 administrative procedure act;

11 (2) The specifications of minimum professional and technical
12 equipment, environment, supplies, and procedures for the compounding or
13 dispensing of such medications, drugs, devices, and other materials within the
14 practice of pharmacy;

15 (3) The control of the purity and quality of such medications, drugs,
16 devices, and other materials within the practice of pharmacy;

17 (4) The issuance of certificates of registration and licenses of drug
18 outlets;

19 (5) The development of criteria for a standardized tamper-resistant
20 prescription pad that can be used by all health care providers who prescribe
21 drugs. Such criteria shall be developed in consultation with pharmacists,

1 hospitals, nursing homes, physicians and other prescribers, and other affected
2 parties;

3 (6) The issuance of a security code for each physician to be used when
4 ordering a prescription over the telephone for a controlled substance. Each
5 physician shall create an individual security code. To verify a physician's
6 identity, all physician security codes shall be recorded and maintained by the
7 board and accessible online to pharmacists.

8 Sec. 3. EFFECTIVE DATE

9 This act shall take effect on July 1, 2012.