

# Senate Bill 150

Sponsored by Senator KNOPP; Senator MONNES ANDERSON (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires pharmacist to dispense controlled substance in Schedule II of federal Controlled Substances Act in lockable vial. Defines "lockable vial." Creates exceptions.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to dispensation of controlled substances; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 689.**

5 **SECTION 2. (1) As used in this section, "lockable vial" means a disposable container that**  
6 **is special packaging, as defined in 15 U.S.C. 1471, and that has a locking cap that can be un-**  
7 **locked using:**

8 (a) **An alphanumeric or other code; or**

9 (b) **Biometric voice or facial recognition authentication technology.**

10 (2) **Except as provided in subsection (4) of this section, a pharmacist who dispenses in**  
11 **solid oral dosage form a controlled substance in Schedule II of the federal Controlled Sub-**  
12 **stances Act shall:**

13 (a) **Dispense the controlled substance in a lockable vial;**

14 (b) **Provide the educational pamphlet described in subsection (3) of this section; and**

15 (c) **If the lockable vial uses an alphanumeric or other code, include the code in any pa-**  
16 **tient notes in the database or other system used by the pharmacy in the dispensing of pre-**  
17 **scription drugs. The patient, or the patient's parent or legal guardian if the patient is a**  
18 **minor or otherwise unable to authorize medical care, shall choose the code.**

19 (3) **The State Board of Pharmacy shall develop an educational pamphlet that includes**  
20 **information on the potential for the abuse and diversion of controlled substances. The board**  
21 **shall provide the educational pamphlet to pharmacists in printed form.**

22 (4) **A pharmacist is not required to dispense a controlled substance in Schedule II of the**  
23 **federal Controlled Substances Act in a lockable vial if:**

24 (a) **The patient, because of a physical or mental condition, would have difficulty opening**  
25 **the lockable vial;**

26 (b) **The patient meets any criteria established by the board that, in the discretion of the**  
27 **board, indicates that the controlled substance does not need to be dispensed to the patient**  
28 **in a lockable vial; or**

29 (c) **The prescription, dispensation and administration of the controlled substance occurs**  
30 **in a hospital or other inpatient care facility.**

31 (5) **The manufacturer of a controlled substance dispensed as required under subsection**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 (2) of this section shall reimburse the pharmacy for the cost of lockable vials used by the  
2 pharmacy for the dispensation of the controlled substance.

3 (6) The board may adopt rules to carry out this section.

4 **SECTION 3.** (1) Section 2 of this 2019 Act becomes operative on January 1, 2020.

5 (2) The State Board of Pharmacy may take any action before the operative date specified  
6 in subsection (1) of this section that is necessary to enable the board to exercise, on and  
7 after the operative date specified in subsection (1) of this section, all of the duties, functions  
8 and powers conferred on the board by section 2 of this 2019 Act.

9 **SECTION 4.** This 2019 Act being necessary for the immediate preservation of the public  
10 peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect  
11 on its passage.

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