

# House Bill 2960

Sponsored by Representative NOSSE, Senator MONNES ANDERSON; Representatives KENY-GUYER, NOBLE, Senators GOLDEN, KNOPP, MANNING JR, STEINER HAYWARD (at the request of Alliance4Kids)

## 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.**

**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.

