

SENATE, No. 2366

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED SEPTEMBER 22, 2014

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Co-Sponsored by:

Senator Lesniak

SYNOPSIS

Requires health care practitioners to inform patients of addiction potential of controlled dangerous substances prior to issuing prescription.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning prescription drugs and amending P.L.1970,
2 c.226.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 15 of P.L.1970, c.226 (C.24:21-15) is amended to
8 read as follows:

9 15. Prescriptions. a. Except when dispensed directly in good
10 faith by a practitioner, other than a pharmacist, in the course of his
11 professional practice only, to an ultimate user, no controlled
12 dangerous substance included in Schedule II, which is a
13 prescription drug as defined in section 2 of P.L.2003,
14 c.280 (C.45:14-41), may be dispensed without the written
15 prescription of a practitioner; provided that in emergency situations,
16 as prescribed by the division by regulation, such drug may be
17 dispensed upon oral prescription reduced promptly to writing and
18 filed by the pharmacist, if such oral prescription is authorized by
19 federal law. Prescriptions shall be retained in conformity with the
20 requirements of section 13 of P.L.1970, c.226 (C.24:21-13). No
21 prescription for a Schedule II substance may be refilled.

22 b. Except when dispensed directly in good faith by a
23 practitioner, other than a pharmacist, in the course of his
24 professional practice only, to an ultimate user, no controlled
25 dangerous substance included in Schedules III and IV which is a
26 prescription drug as defined in section 2 of P.L.2003,
27 c.280 (C.45:14-41) may be dispensed without a written or oral
28 prescription. Such prescription may not be filled or refilled more
29 than six months after the date thereof or be refilled more than five
30 times after the date of the prescription, unless renewed by the
31 practitioner.

32 c. No controlled dangerous substance included in Schedule V
33 may be distributed or dispensed other than for a valid and accepted
34 medical purpose.

35 d. A practitioner other than a veterinarian who prescribes a
36 controlled dangerous substance in good faith and in the course of
37 his professional practice may administer the same or cause the same
38 to be administered by a nurse or intern under his direction and
39 supervision.

40 e. A veterinarian who prescribes a controlled dangerous
41 substance not for use by a human being in good faith and in the
42 course of his professional practice may administer the same or
43 cause the same to be administered by an assistant or orderly under
44 his direction and supervision.

45 f. A person who has obtained a controlled dangerous substance
46 from the prescribing practitioner for administration to a patient

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 during the absence of the practitioner shall return to the practitioner
2 any unused portion of the substance when it is no longer required
3 by the patient or when its return is requested by the practitioner.

4 g. Whenever it appears to the division that a drug not
5 considered to be a prescription drug under existing State law should
6 be so considered because of its abuse potential, it shall so advise the
7 New Jersey State Board of Pharmacy and furnish to it all available
8 data relevant thereto.

9 h. Prior to issuing a prescription for a controlled dangerous
10 substance which is a prescription drug as defined in section 2 of
11 P.L.2003, c.280 (C.45:14-41), a practitioner shall inform the
12 patient, or the patient's parent or guardian if the patient is under 18
13 years of age, of the risks of developing a physical or psychological
14 dependence on the controlled dangerous substance.

15 (cf: P.L.2007, c.244, s.14)

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17 2. This act shall take effect immediately.

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STATEMENT

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22 This bill would require that, prior to issuing a prescription for a
23 controlled dangerous substance which is a prescription drug, a
24 practitioner must inform the patient, or the patient's parent or
25 guardian if the patient is under 18 years of age, of the risks of
26 developing a physical or psychological dependence on the
27 controlled dangerous substance.