

ASSEMBLY, No. 263

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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District 2 (Atlantic)

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SYNOPSIS

Requires persons picking up prescriptions for Schedule II controlled dangerous substances to present identification.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the dispensing of prescriptions for Schedule II
2 controlled dangerous substances and supplementing Title 24 of
3 the Revised Statutes.

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

7
8 1. a. A pharmacist shall not dispense a Schedule II controlled
9 dangerous substance, unless the ultimate user first:

10 (1) presents a photographic identification card issued by a state,
11 or by the federal government; or presents another form of
12 documentation that constitutes acceptable proof of identity for the
13 purposes of 8 CFR s.274a.2(b)(1)(v)(A) or (B); and

14 (2) signs a logbook maintained by the pharmacist, and prints
15 therein the signatory's name and address, as well as the date and
16 time of dispensation.

17 b. Before dispensing a Schedule II controlled dangerous
18 substance, in accordance with the provisions of subsection a. of this
19 section, the pharmacist shall ensure that the name entered in the
20 logbook matches the name that appears on the ultimate user's
21 identification card or other appropriate identity documentation; and
22 shall further verify that the logbook reflects the correct date and
23 time of dispensation. The pharmacist shall also record, in the
24 logbook, the name and amount of the substance that is being
25 dispensed. The pharmacist shall maintain each entry in the logbook
26 for not less than two years after the date on which the entry is made.

27 c. The logbook maintained by a pharmacist, for the purposes of
28 this section, shall include a written notice, at the top of each page,
29 indicating that the knowing inclusion of false information in the
30 logbook will subject the signatory to prosecution under
31 N.J.S.2C:28-3.

32 d. (1) Information contained in a pharmacist's logbook,
33 pursuant to this section, shall not be disclosed for any purpose,
34 except when such disclosure is necessary to facilitate a drug recall
35 for the protection of public health and safety, or is necessary for law
36 enforcement purposes, in association with the enforcement of this
37 section or other relevant provisions of the "New Jersey Controlled
38 Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et seq.).

39 (2) Any pharmacist who, in good faith, discloses information
40 from a logbook maintained thereby, in accordance with the
41 provisions of this subsection, shall not be subject to any criminal or
42 civil liability, or any professional disciplinary action under Title 45
43 of the Revised Statutes, as a result of such disclosure.

44 e. The Commissioner of Health and the State Board of
45 Pharmacy, in consultation with each other, shall each adopt rules
46 and regulations, pursuant to the "Administrative Procedure Act,"
47 P.L.1968, c.410 (C.52:14B-1 et seq.), to implement the provisions
48 of this section.

A263 ARMATO, MAZZEO

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- 1 The bill would require both the Commissioner of Health and the
- 2 State Board of Pharmacy, in consultation with each other, to adopt
- 3 rules and regulations to implement the bill's provisions.