ASSEMBLY AGING AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5837

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 3, 2022

The Assembly Aging and Senior Services Committee reports favorably and with committee amendments Assembly Bill No. 5837.

As amended by the committee, this bill permits the use of automated dispensing devices in long-term care facilities and hospice care programs. The bill defines an "automated dispensing device" as a mechanical automated medication system used in a long-term care facility or a hospice care program that stores prescribed medications and dispenses those medications for the sole use of the residents of a long-term care facility or patients in the hospice care program. The bill authorizes an institutional pharmacy of a long-term care facility or a hospice care program to utilize an automated dispensing device for routine medication dispensing and storage. The automated dispensing device will remain the property of the pharmacy. The pharmacy is required to maintain all controls and record keeping as is required under State and federal law.

As amended, the bill requires the institutional pharmacy of a long-term care facility or a hospice care program to obtain a machine-specific federal Drug Enforcement Administration registration number for each automated dispensing device it maintains, unless the device is exclusively stocked for the dispensing of emergency drug kits for emergency administration. The bill also requires the pharmacy to obtain a license from the New Jersey State Board of Pharmacy for each specific model of automated dispensing device it maintains. The pharmacy is required to provide notice to the board if multiple automated dispensing devices of the same model, for which a license has already been granted to the pharmacy, are installed in a long-term care facility or hospice care program. The board will retain its rights to regulate, inspect, and audit the pharmacy and any automated dispensing device.

The bill restricts access to an automated dispensing device to authorized licensed personnel designated by the pharmacist-in-charge. A list of such authorized personnel will be maintained at all times within the pharmacy system and will be reviewed and updated periodically. No medication, including a controlled substance, may be dispensed from an automated dispensing device without a valid, patient-specific prescription or order for the medication. Prepackaged

cartridges and containers may be sent to a remote site to be loaded into an automated dispensing device by personnel designated by the pharmacist-in-charge, provided:

(1) the individual cartridges or containers are transported to the remote site in a secure, tamper-evident container; and

(2) the automated pharmacy system uses bar-coding, microchips, or other technologies to ensure that the cartridges or containers are accurately loaded in the automated pharmacy system.

Any loss of medication from or in connection with an automated dispensing device will be required to be reported in accordance with the requirements of the New Jersey State Board of Pharmacy.

COMMITTEE AMENDMENTS:

The committee amendments make various technical changes involving grammar and syntax.