



386006

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2019	.	
	.	
	.	
	.	

---

The Committee on Health Policy (Book and Harrell) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 185 - 198

and insert:

(5) DONOR ELIGIBILITY.-

(a) The centralized repository or a local repository may accept a donation of a prescription drug or supply from:

1. Nursing home facilities with closed drug delivery systems.

2. Hospices that have maintained control of a patient's



386006

11 prescription drugs.  
12       3. Hospitals with closed drug delivery systems.  
13       4. Pharmacies.  
14       5. Drug manufacturers or wholesale distributors.  
15       6. Medical device manufacturers or suppliers.  
16       7. Prescribers who receive prescription drugs or supplies  
17 directly from a drug manufacturer, wholesale distributor, or  
18 pharmacy.  
19       (b) In addition to the donors specified in paragraph (a), a  
20 local repository that qualifies as a free clinic or nonprofit  
21 health clinic may accept a donation from a patient or a  
22 patient's legal representative or next of kin if the following  
23 requirements are met:  
24       1. An affidavit, in a format approved by the department,  
25 signed by the donor must accompany the donation, identify the  
26 prescribing health care practitioner, and attest to the  
27 authenticity of the prescription drug or medical supply being  
28 donated;  
29       2. The prescription drug or medical supply being donated is  
30 in its original tamper-evident packaging, in accordance with  
31 subparagraph (6) (b)1., and does not have any physical signs of  
32 tampering, misbranding, deterioration, compromised integrity, or  
33 adulteration;  
34       3. Any drug being donated has an expiration date that is  
35 more than 3 months after the date of the donation; and  
36       4. A licensed pharmacist inspects the prescription drug or  
37 medical supply and can attest to the authenticity of the donated  
38 prescription drug or medical supply and that it meets the  
39 requirements of this paragraph.



386006

40  
41 Prescription drugs and supplies accepted under this paragraph  
42 are exempt from subparagraph (6)(b)3. but are subject to all  
43 other applicable requirements of subsections (6) and (7).

44 (c) Donations of prescription drugs or supplies may not be  
45 accepted by the centralized repository or a local repository  
46 from any donor not authorized under this subsection.

47  
48 ===== T I T L E A M E N D M E N T =====

49 And the title is amended as follows:

50 Between lines 9 and 10

51 insert:

52 authorizing certain local repositories to accept a  
53 donation from specified persons under certain  
54 conditions; prohibiting a centralized repository or a  
55 local repository from accepting donations from  
56 unauthorized donors;