

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Health Quality
2 Subcommittee

3 Representative Yarborough offered the following:

Amendment (with title amendment)

6 Remove lines 339-401 and insert:

7 drugs or supplies dispensed under this program.

8 (10) RECALLED PRESCRIPTION DRUGS AND SUPPLIES.-

9 (a) The centralized repository and each local repository
10 shall establish and follow a protocol for notifying recipients
11 in the event of a prescription drug recall.

12 (b) Local repositories shall destroy all recalled or
13 expired prescription drugs and all prescription drugs that are
14 not suitable for dispensing in the repository. Local
15 repositories must complete a destruction information form for
16 all such drugs, in accordance with department rule.

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17 (11) RECORDKEEPING.—

18 (a) Local repositories shall maintain records of
19 prescription drugs and supplies that are accepted, donated,
20 dispensed, distributed, or destroyed under the program.

21 (b) All required records must be maintained in accordance
22 with any applicable practice act. Local repositories shall
23 submit these records quarterly to the centralized repository for
24 data collection, and the centralized repository shall submit
25 these records and the collected data in annual reports to the
26 department.

27 (12) REGISTRIES; PUBLICATION OF FORMS.—

28 (a) The department or contractor shall establish and
29 maintain registries of all local repositories and of
30 prescription drugs and supplies available under the program. The
31 registry of local repositories must include each repository's
32 name, address, website, and telephone number. The registry of
33 available prescription drugs and supplies must include the name,
34 strength, available quantity, and expiration date of the
35 prescription drug or supplies and the name and contact
36 information of each repository where such drug or supplies are
37 available. The department shall publish the registries on its
38 website.

39 (b) The department shall publish all forms required by
40 this section on its website.

41 (13) IMMUNITY FROM LIABILITY, DISCIPLINARY ACTION.—

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42 (a) Any donor of prescription drugs or supplies and any
43 participant in the program who exercises reasonable care in
44 donating, accepting, distributing, or dispensing prescription
45 drugs or supplies under the program is immune from civil or
46 criminal liability and from professional disciplinary action by
47 the state for any injury, death, or loss to person or property
48 relating to such activities.

49 (b) A pharmaceutical manufacturer who exercises reasonable
50 care is not liable for any claim or injury arising from the
51 donation of any prescription drug or supply under this section,
52 including, but not limited to, liability for failure to transfer
53 or communicate product or consumer information regarding the
54 donated prescription drug, including its expiration date.

55 (14) NOTICE TO PATIENTS.—Before dispensing a donated
56 prescription drug under the program, the dispenser must provide
57 written notification to the eligible patient or his or her legal
58 representative, receipt of which must be acknowledged in
59 writing, of all of the following information:

60 (a) The prescription drug was donated to the program.

61 (b) The donors and participants in the program are immune
62 from civil or criminal liability or disciplinary action.

63 (c) The eligible patient is not required to pay for the
64 prescription drug.

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T I T L E A M E N D M E N T

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Remove lines 43-46 and insert:

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the program; requiring repositories to establish a