

HOUSE _____ AMENDMENT NO. _____

Offered By

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829,
Page 6, Section 71.285, Line 80, by inserting after all of said line the following:

“195.080. 1. Except as otherwise in sections 195.005 to 195.425 specifically provided, sections 195.005 to 195.425 shall not apply to the following cases: prescribing, administering, dispensing or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain controlled substances in such combinations of drugs as to prevent the drugs from being readily extracted from such liniments, ointments, or preparations, except that sections 195.005 to 195.425 shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or combination.

2. The quantity of Schedule II controlled substances prescribed or dispensed at any one time shall be limited to a thirty-day supply. The quantity of Schedule III, IV or V controlled substances prescribed or dispensed at any one time shall be limited to a ninety-day supply and shall be prescribed and dispensed in compliance with the general provisions of sections 195.005 to 195.425. The supply limitations provided in this subsection may be increased up to three months if the physician describes on the prescription form or indicates via telephone, fax, or electronic communication to the pharmacy to be entered on or attached to the prescription form the medical reason for requiring the larger supply. The supply limitations provided in this subsection shall not apply if the prescription is dispensed directly to a member of the United States armed forces serving outside the United States.

3. The partial filling of a prescription for a Schedule II substance is permissible as defined by regulation by the department of health and senior services.”; and

Further amend said bill, Page 13, Section 303.025, Line 40 by inserting after all of said line the following:

“338.100. 1. Every permit holder of a licensed pharmacy shall cause to be kept in a uniform fashion consistent with this section a suitable book, file, or electronic record keeping

1 system in which shall be preserved, for a period of not less than five years, the original or order of
2 each drug which has been compounded or dispensed at such pharmacy, according to and in
3 compliance with standards provided by the board, and shall produce the same in court or before
4 any grand jury whenever lawfully required. A licensed pharmacy may maintain its prescription
5 file on readable microfilm for records maintained over three years. After September, 1999, a
6 licensed pharmacy may preserve prescription files on microfilm or by electronic media storage for
7 records maintained over three years. The pharmacist in charge shall be responsible for complying
8 with the permit holder's record-keeping system in compliance with this section. Records
9 maintained by a pharmacy that contain medical or drug information on patients or their care shall
10 be considered as confidential and shall only be released according to standards provided by the
11 board. Upon request, the pharmacist in charge of such pharmacy shall furnish to the prescribe,
12 and may furnish to the person for whom such prescription was compounded or dispensed, a true
13 and correct copy of the original prescription. The file of original prescriptions in whatever format
14 kept in compliance with this section, and other confidential records, as defined by law, shall at all
15 times be open for inspection by board of pharmacy representatives. Records maintained in an
16 electronic record keeping system shall contain all information otherwise required in a manual
17 record keeping system. Electronic records shall be readily retrievable. Pharmacies may
18 electronically maintain the original prescription or prescription order for each drug and may
19 electronically annotate any change or alteration to a prescription record in the electronic record
20 keeping system as authorized by law, provided however, original written and faxed prescriptions
21 must be physically maintained on file at the pharmacy pursuant to state and federal controlled
22 substance laws.

23 2. An institutional pharmacy located in a hospital shall be responsible for maintaining
24 records of the transactions of the pharmacy as required by federal and state laws and as necessary
25 to maintain adequate control and accountability of all drugs. This shall include a system of
26 controls and records for the requisitioning and dispensing of pharmaceutical supplies where
27 applicable to patients, nursing care units and to other departments or services of the institution.
28 Inspection performed pursuant to this subsection shall be consistent with the provisions of section
29 197.100, RSMo.

30 3. “Electronic record keeping system”, as used in this section shall mean a system,
31 including machines, methods or organization, and procedures, that provides input, storage,
32 processing, communications, output, and control functions for digitized images of original
33 prescriptions.”; and

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35 Further amend said bill by amending the title, enacting clause, and intersectional references
36 accordingly.