

HOUSE**AMENDMENT NO. _____****Offered by _____****of _____**

1 AMEND House Committee Substitute for Senate Committee Substitute
 2 for Senate Bill No. 29, Page 1, In the Title, Line 2, by
 3 inserting after the word "sections" the numbers "195.060,
 4 195.080,"; and

5 Further amend said bill, Page 1, In the Title, Line 3, by
 6 inserting after the number "334.715," the number "334.747,"; and

7 Further amend said bill, Page 1, In the Title, Line 5, by
 8 deleting the word "thirty" and inserting in lieu thereof the word
 9 "thirty-three"; and

10 Further amend said bill, Page 1, Section A, Line 1, by
 11 inserting after the word "Sections" the numbers "195.060,
 12 195.080,"; and

13 Further amend said bill, Page 1, Section A, Line 2, by
 14 inserting after the number "334.715," the number "334.747,"; and

15 Further amend said bill, Page 1, Section A, Line 3, by
 16 deleting the word "thirty" and inserting in lieu thereof the word
 17 "thirty-three"; and

18 Further amend said bill, Page 1, Section A, Line 4, by
 19 inserting after the word "sections" the numbers "195.060,
 20 195.080,"; and

21 Further amend said bill, Page 1, Section A, Line 6, by
 22 inserting after the number "334.715," the number "334.747,"; and

23 Further amend said bill, Page 1, Section A, Line 7, by
 24 inserting after all of said line the following:

25 "195.060. 1. Except as provided in subsection [3] 4 of
 26 this section, a pharmacist, in good faith, may sell and dispense
 27 controlled substances to any person only upon a prescription of a
 28 practitioner as authorized by statute, provided that the
 29 controlled substances listed in Schedule V may be sold without

Action Taken _____ Date _____

1 prescription in accordance with regulations of the department of
2 health and senior services. All written prescriptions shall be
3 signed by the person prescribing the same. All prescriptions
4 shall be dated on the day when issued and bearing the full name
5 and address of the patient for whom, or of the owner of the
6 animal for which, the drug is prescribed, and the full name,
7 address, and the registry number under the federal controlled
8 substances laws of the person prescribing, if he is required by
9 those laws to be so registered. If the prescription is for an
10 animal, it shall state the species of the animal for which the
11 drug is prescribed. The person filling the prescription shall
12 either write the date of filling and his own signature on the
13 prescription or retain the date of filling and the identity of
14 the dispenser as electronic prescription information. The
15 prescription or electronic prescription information shall be
16 retained on file by the proprietor of the pharmacy in which it is
17 filled for a period of two years, so as to be readily accessible
18 for inspection by any public officer or employee engaged in the
19 enforcement of this law. No prescription for a drug in Schedule
20 I or II shall be filled more than six months after the date
21 prescribed; no prescription for a drug in schedule I or II shall
22 be refilled; no prescription for a drug in Schedule III or IV
23 shall be filled or refilled more than six months after the date
24 of the original prescription or be refilled more than five times
25 unless renewed by the practitioner.

26 2. A pharmacist may, in good faith, sell and dispense
27 controlled substances to any person upon a prescription of a
28 practitioner located in another state, provided that the
29 prescription was issued according to and in compliance with the
30 applicable laws of that state and the United States.

31 3. The legal owner of any stock of controlled substances in
32 a pharmacy, upon discontinuance of dealing in such drugs, may
33 sell the stock to a manufacturer, wholesaler, or pharmacist, but
34 only on an official written order.

35 [3.] 4. A pharmacist, in good faith, may sell and dispense
36 any Schedule II drug or drugs to any person in emergency
37 situations as defined by rule of the department of health and

1 senior services upon an oral prescription by an authorized
2 practitioner.

3 [4.] 5. Except where a bona fide
4 physician-patient-pharmacist relationship exists, prescriptions
5 for narcotics or hallucinogenic drugs shall not be delivered to
6 or for an ultimate user or agent by mail or other common carrier.
7

8 195.080. 1. Except as otherwise in sections 195.005 to
9 195.425 specifically provided, sections 195.005 to 195.425 shall
10 not apply to the following cases: prescribing, administering,
11 dispensing or selling at retail of liniments, ointments, and
12 other preparations that are susceptible of external use only and
13 that contain controlled substances in such combinations of drugs
14 as to prevent the drugs from being readily extracted from such
15 liniments, ointments, or preparations, except that sections
16 195.005 to 195.425 shall apply to all liniments, ointments, and
17 other preparations that contain coca leaves in any quantity or
18 combination.

19 2. [The quantity of Schedule II controlled substances
20 prescribed or dispensed at any one time shall be limited to a
21 thirty-day supply.] The quantity of Schedule III, IV or V
22 controlled substances prescribed or dispensed at any one time
23 shall be limited to a ninety-day supply and shall be prescribed
24 and dispensed in compliance with the general provisions of
25 sections 195.005 to 195.425. [The supply limitations provided in
26 this subsection may be increased up to three months if the
27 physician describes on the prescription form or indicates via
28 telephone, fax, or electronic communication to the pharmacy to be
29 entered on or attached to the prescription form the medical
30 reason for requiring the larger supply.] The supply limitations
31 provided in this subsection shall not apply if:

32 (1) The prescription is issued by a practitioner located in
33 another state according to and in compliance with the applicable
34 laws of that state and the United States, and is dispensed to a
35 patient located or residing in another state; or

36 (2) The prescription is dispensed directly to a member of
37 the United States armed forces serving outside the United States.

1
2 3. The partial filling of a prescription for a Schedule II
3 substance is permissible as defined by regulation by the
4 department of health and senior services."; and

5 Further amend said bill, Page 27, Section 334.715, Line 63,
6 by inserting after all of said line the following:

7 "334.747. 1. A physician assistant with a certificate of
8 controlled substance prescriptive authority as provided in this
9 section may prescribe any controlled substance listed in schedule
10 III, IV, or V of section 195.017 when delegated the authority to
11 prescribe controlled substances in a supervision agreement. Such
12 authority shall be listed on the supervision verification form on
13 file with the state board of healing arts. The supervising
14 physician shall maintain the right to limit a specific scheduled
15 drug or scheduled drug category that the physician assistant is
16 permitted to prescribe. Any limitations shall be listed on the
17 supervision form. Physician assistants shall not prescribe
18 controlled substances for themselves or members of their
19 families. Schedule III controlled substances shall be limited to
20 a five-day supply without refill. Physician assistants who are
21 authorized to prescribe controlled substances under this section
22 shall register with the federal Drug Enforcement Administration
23 and the state bureau of narcotics and dangerous drugs, and shall
24 include [such registration numbers] the Drug Enforcement
25 Administration registration number on prescriptions for
26 controlled substances.

27 2. The supervising physician shall be responsible to
28 determine and document the completion of at least one hundred
29 twenty hours in a four-month period by the physician assistant
30 during which the physician assistant shall practice with the
31 supervising physician on-site prior to prescribing controlled
32 substances when the supervising physician is not on-site. Such
33 limitation shall not apply to physician assistants of
34 population-based public health services as defined in 20 CSR
35 2150-5.100 as of April 30, 2009.

36 3. A physician assistant shall receive a certificate of
37 controlled substance prescriptive authority from the board of

1 healing arts upon verification of the completion of the following
2 educational requirements:

3 (1) Successful completion of an advanced pharmacology
4 course that includes clinical training in the prescription of
5 drugs, medicines, and therapeutic devices. A course or courses
6 with advanced pharmacological content in a physician assistant
7 program accredited by the Accreditation Review Commission on
8 Education for the Physician Assistant (ARC-PA) or its predecessor
9 agency shall satisfy such requirement;

10 (2) Completion of a minimum of three hundred clock hours of
11 clinical training by the supervising physician in the
12 prescription of drugs, medicines, and therapeutic devices;

13 (3) Completion of a minimum of one year of supervised
14 clinical practice or supervised clinical rotations. One year of
15 clinical rotations in a program accredited by the Accreditation
16 Review Commission on Education for the Physician Assistant
17 (ARC-PA) or its predecessor agency, which includes
18 pharmacotherapeutics as a component of its clinical training,
19 shall satisfy such requirement. Proof of such training shall
20 serve to document experience in the prescribing of drugs,
21 medicines, and therapeutic devices;

22 (4) A physician assistant previously licensed in a
23 jurisdiction where physician assistants are authorized to
24 prescribe controlled substances may obtain a state bureau of
25 narcotics and dangerous drugs registration if a supervising
26 physician can attest that the physician assistant has met the
27 requirements of subdivisions (1) to (3) of this subsection and
28 provides documentation of existing federal Drug Enforcement
29 Agency registration."; and

30 Further amend said title, enacting clause and intersectional
31 references accordingly.