

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

1 AMEND House Bill No. 658, Page 13, Section 195.017, Line 433, by
 2 deleting all of said line and inserting in lieu thereof the
 3 following:

4 " (8) Any compound, mixture, or preparation, which is not in
 5 liquid or liquid-filled gel capsule form, containing any
 6 detectable quantity of"; and

7 Further amend said bill, Page 14, Section 195.017, Line 442,
 8 by deleting all of said line and inserting in lieu thereof the
 9 following: ", preparation, which is not in liquid or liquid-
 10 filled gel capsule form, containing any detectable quantity of
 11 ephedrine, phenylpropanolamine, or"; and

12 Further amend said bill, Pages 18 to 20, Section 195.017,
 13 Lines 602 to 659, by deleting all of said lines and inserting in
 14 lieu thereof the following:

15 "11. If any compound, mixture, or preparation [as specified
 16 in subdivision (3) of subsection 10 of this section], which is in
 17 liquid or liquid-filled gel capsule form, containing any
 18 detectable quantity of ephedrine, phenylpropanolamine, or
 19 pseudoephedrine, or any of their salts or optical isomers, or
 20 salts of optical isomers, is dispensed, sold, or distributed in a
 21 pharmacy without a prescription:

22 (1) All packages of any compound, mixture, or preparation,
 23 which is in liquid or liquid-filled gel capsule form, containing
 24 any detectable quantity of pseudoephedrine, its salts or optical
 25 isomers, or salts of optical isomers or ephedrine, its salts or
 26 optical isomers, or salts of optical isomers, shall be offered
 27 for sale only from behind a pharmacy counter where the public is
 28 not permitted, and only by a registered pharmacist or registered
 29 pharmacy technician; and

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1 (2) Any person purchasing, receiving or otherwise acquiring
2 any compound, mixture, or preparation, which is in liquid or
3 liquid-filled gel capsule form, containing any detectable
4 quantity of pseudoephedrine, its salts or optical isomers, or
5 salts of optical isomers or ephedrine, its salts or optical
6 isomers, or salts of optical isomers shall be at least eighteen
7 years of age; and

8 (3) The pharmacist, intern pharmacist, or registered
9 pharmacy technician shall require any person, prior to their
10 purchasing, receiving or otherwise acquiring such compound,
11 mixture, or preparation, which is in liquid or liquid-filled gel
12 capsule form, to furnish suitable photo identification that is
13 issued by a state or the federal government or a document that,
14 with respect to identification, is considered acceptable and
15 showing the date of birth of the person;

16 (4) The seller shall deliver the product directly into the
17 custody of the purchaser.

18 12. Pharmacists, intern pharmacists, and registered
19 pharmacy technicians shall implement and maintain an electronic
20 log of each transaction. Such log shall include the following
21 information:

22 (1) The name, address, and signature of the purchaser;

23 (2) The amount of the compound, mixture, or preparation
24 purchased;

25 (3) The date and time of each purchase; and

26 (4) The name or initials of the pharmacist, intern
27 pharmacist, or registered pharmacy technician who dispensed the
28 compound, mixture, or preparation to the purchaser.

29 13. Each pharmacy shall submit information regarding sales
30 of any compound, mixture, or preparation [as specified in
31 subdivision (3) of subsection 10 of this section], which is in
32 liquid or liquid-filled gel capsule form, containing any
33 detectable quantity of ephedrine, phenylpropanolamine, or
34 pseudoephedrine, or any of their salts or optical isomers, or
35 salts of optical isomers, in accordance with transmission methods
36 and frequency established by the department by regulation;

37 14. No person shall dispense, sell, purchase, receive, or

1 otherwise acquire quantities greater than those specified in this
2 chapter.

3 15. All persons who dispense or offer for sale
4 pseudoephedrine and ephedrine products, which are in liquid or
5 liquid filled gel capsule form, in a pharmacy shall ensure that
6 all such products are located only behind a pharmacy counter
7 where the public is not permitted.

8 16. Any person who knowingly or recklessly violates the
9 provisions of subsections 11 to 15 of this section is guilty of a
10 class A misdemeanor.

11 17. The scheduling of substances specified in subdivision
12 ~~[(3) of subsection 10]~~ (8) of subsection 6 of this section and
13 subsections 11, 12, 14, and 15 of this section shall not apply to
14 ~~[any compounds, mixtures, or preparations that are in liquid or~~
15 ~~liquid-filled gel capsule form or to]~~ any compound, mixture, or
16 preparation specified in subdivision ~~[(3) of subsection 10]~~ (8)
17 of subsection 6 of this section which must be dispensed, sold, or
18 distributed in a pharmacy pursuant to a prescription.

19 18. The manufacturer of a drug product or another
20 interested party may apply with the department of health and
21 senior services for an exemption from this section. The
22 department of health and senior services may grant an exemption
23 by rule from this section if the department finds the drug
24 product is not used in the illegal manufacture of methamphetamine
25 or other controlled or dangerous substances. The department of
26 health and senior services shall rely on reports from law
27 enforcement and law enforcement evidentiary laboratories in
28 determining if the proposed product can be used to manufacture
29 illicit controlled substances.

30 19. The department of health and senior services shall
31 revise and republish the schedules annually.

32 20. The department of health and senior services shall
33 promulgate rules under chapter 536 regarding the security and
34 storage of Schedule V controlled substances, as described in
35 subdivision ~~[(3) of subsection 10]~~ (8) of subsection 6 of this
36 section, for distributors as registered by the department of
37 health and senior services.

1 21. Logs of transactions required to be kept and maintained
2 by this section and section 195.417 shall create a rebuttable
3 presumption that the person whose name appears in the logs is the
4 person whose transactions are recorded in the logs.

5 22. This section shall be known as the "Meth Lab
6 Elimination Act"."; and

7 Further amend said bill, Page 20, Section 195.417, Line 1,
8 by deleting all of said line and inserting in lieu thereof the
9 following:

10 "195.417. 1. The limits specified in this section shall
11 not apply to any"; and

12 Further amend said bill Page 20, Section 195.417, Line 7, by
13 deleting all of said line and inserting in lieu thereof the
14 following: "of any drug product, which is in liquid or liquid-
15 filled gel capsule form, containing any detectable amount of
16 ephedrine,"; and

17 Further amend said bill, Page 20, Section 195.417, Line 18,
18 by deleting all of said line and inserting in lieu thereof the
19 following: "than the following amount: any number of packages
20 of any drug product, which is in liquid or liquid-filled gel
21 capsule form,"; and

22 Further amend said bill, Page 20, Section 195.417, Line 27,
23 by deleting all of said line and inserting in lieu thereof the
24 following:

25 "4. All packages of any compound, mixture, or preparation,
26 which is in liquid or liquid-filled gel capsule form, containing
27 any"; and

28 Further amend said bill, Page 20, Section 195.417, Line 35,
29 by deleting all of said line and inserting in lieu thereof the
30 following: "compound, mixture, or preparation, which is in
31 liquid or liquid-filled gel capsule form, as specified in this
32 section in accordance with"; and

33 Further amend said bill, Page 21, Section 195.417, Line 47,
34 by deleting all of said line and inserting in lieu thereof the
35 following: "for sale pseudoephedrine and ephedrine products
36 which are in liquid or liquid-filled gel capsule form, except
37 those that are excluded"; and

1 Further amend said bill, Page 21, Section 195.417, Line 52,
2 by deleting all of said line and inserting in lieu thereof the
3 following: "of a class A misdemeanor."; and

4 Further amend said title, enacting clause and intersectional
5 references accordingly.