SECOND REGULAR SESSION

HOUSE BILL NO. 1460

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ROORDA (Sponsor), RIZZO, ENGLISH, RUNIONS, ELLINGER, MITTEN, MCDONALD AND KRATKY (Co-sponsors).

4858H.01I D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 577, RSMo, by adding thereto two new sections relating to failure to report illegal conduct regarding prescription medications, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 577, RSMo, is amended by adding thereto two new sections, to be known as sections 577.170 and 577.172, to read as follows:

577.170. 1. Any person involved in the production, sale, distribution, or administration of prescription medications that has reasonable cause to believe that the conduct of a pharmacist or any other health care professional, as defined in section 383.130 is illegal in nature and could cause death or serious physical injury, as defined in section 565.002, to another person shall immediately report or cause a report to be made to the Food and Drug Administration, the state board of pharmacy, or any law enforcement organization.

2. The report shall contain the name and address of the pharmacist or health care professional, information regarding the nature of the alleged conduct, the name of the complainant, and any other information which might be helpful in an investigation.

3. Any person required in subsection 1 of this section to report or cause a report to be made to the Food and Drug Administration, state board of pharmacy, or any law enforcement organization who knowingly fails to make a report within a reasonable time after the alleged conduct is guilty of a class A misdemeanor.

EXPLANATION — Matter enclosed in bold-faced brackets **[**thus**]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

4. In addition to the penalties imposed by this section, any person who knowingly conceals any illegal conduct resulting in death or serious physical injury, as defined in section 565.002, is guilty of a class D felony.

577.172. 1. Any person involved in the production, sale, distribution, or administration of prescription medications who has reason to suspect that counterfeit, fake, diluted, or black market drugs are in the distribution channel shall make a report or cause a report to be made to the federal Food and Drug Administration, state board of pharmacy, or any law enforcement agency.

2. Any person who fails to make a report or cause a report to be made within seven days is guilty of a class A misdemeanor.

3. Any employee of a drug or pharmaceutical company that attempts to conceal in any way information about suspected counterfeit, fake, diluted, or black market drugs or any other drug in the distribution channel that could result in serious physical injury or death to a person is guilty of a class D felony.

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