

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Bill No. 628, Page 1, Section A, Line 2, by inserting after all of said section and  
2 line the following:

3  
4 "195.080. 1. Except as otherwise provided in this chapter and chapter 579, this chapter and  
5 chapter 579 shall not apply to the following cases: prescribing, administering, dispensing or selling  
6 at retail of liniments, ointments, and other preparations that are susceptible of external use only and  
7 that contain controlled substances in such combinations of drugs as to prevent the drugs from being  
8 readily extracted from such liniments, ointments, or preparations, except that this chapter and  
9 chapter 579 shall apply to all liniments, ointments, and other preparations that contain coca leaves in  
10 any quantity or combination.

11 2. Unless otherwise provided in sections 334.037, 334.104, and 334.747, a practitioner,  
12 other than a veterinarian, shall not issue an initial prescription for more than a seven-day supply of  
13 any opioid controlled substance upon the initial consultation and treatment of a patient for acute  
14 pain. Upon any subsequent consultation for the same pain, the practitioner may issue any  
15 appropriate renewal, refill, or new prescription in compliance with the general provisions of this  
16 chapter and chapter 579. Prior to issuing an initial prescription for an opioid controlled substance, a  
17 practitioner shall consult with the patient regarding the quantity of the opioid and the patient's option  
18 to fill the prescription in a lesser quantity and shall inform the patient of the risks associated with the  
19 opioid prescribed. If, in the professional medical judgment of the practitioner, more than a seven-  
20 day supply is required to treat the patient's acute pain, the practitioner may issue a prescription for  
21 the quantity needed to treat the patient; provided, that the practitioner shall document in the patient's  
22 medical record the condition triggering the necessity for more than a seven-day supply and that a  
23 nonopioid alternative was not appropriate to address the patient's condition. The provisions of this  
24 subsection shall not apply to prescriptions for opioid controlled substances for a patient who is  
25 currently undergoing treatment for cancer or sickle cell disease, is receiving hospice care from a  
26 hospice certified under chapter 197 or palliative care, is a resident of a long-term care facility  
27 licensed under chapter 198, or is receiving treatment for substance abuse or opioid dependence.

28 3. A pharmacist or pharmacy shall not be subject to disciplinary action or other civil or  
29 criminal liability for dispensing or refusing to dispense medication in good faith pursuant to an  
30 otherwise valid prescription that exceeds the prescribing limits established by subsection 2 of this  
31 section.

32 4. Unless otherwise provided in this section, the quantity of Schedule II controlled  
33 substances prescribed or dispensed at any one time shall be limited to a thirty-day supply. The  
34 quantity of Schedule III, IV or V controlled substances prescribed or dispensed at any one time shall  
35 be limited to a ninety-day supply and shall be prescribed and dispensed in compliance with the  
36 general provisions of this chapter and chapter 579. The supply limitations provided in this

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 subsection may be increased up to three months if the physician describes on the prescription form  
2 or indicates via telephone, fax, or electronic communication to the pharmacy to be entered on or  
3 attached to the prescription form the medical reason for requiring the larger supply. The supply  
4 limitations provided in this subsection shall not apply if:

5 (1) The prescription is issued by a practitioner located in another state according to and in  
6 compliance with the applicable laws of that state and the United States and dispensed to a patient  
7 located in another state; or

8 (2) The prescription is dispensed directly to a member of the United States Armed Forces  
9 serving outside the United States.

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

12  
13 Further amend said bill by amending the title, enacting clause, and intersectional references  
14 accordingly.