

1 HB54
2 146354-1
3 By Representative Greeson
4 RFD: County and Municipal Government
5 First Read: 05-FEB-13
6 PFD: 01/24/2013

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8 SYNOPSIS: Under existing law, a pharmacy operated by
9 the Department of Corrections or by a company under
10 contract with the department may accept unused
11 prescription drugs for redispensing under certain
12 conditions.

13 This bill would make this law applicable to
14 unused prescription drugs dispensed in county jails
15 under the same conditions.

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17 A BILL
18 TO BE ENTITLED
19 AN ACT

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21 To amend Section 14-1-19 of the Code of Alabama
22 1975, providing for the redispensing under certain conditions
23 of unused prescription drugs by pharmacies operated in
24 correctional facilities, to include pharmacies in county jails
25 within the pharmacies authorized to redispense unused
26 prescription drugs.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 14-1-19 of the Code of Alabama
2 1975, is amended to read as follows:

3 "§14-1-19.

4 "(a) As used in this section, the following terms
5 shall have the following meanings:

6 "(1) CORRECTIONS FACILITY. Any facility or program
7 controlled or operated by the state Department of Corrections
8 or any of its agencies or departments and supported wholly or
9 in part by state funds for the correctional care of persons or
10 any county jail operated and controlled by the county sheriff
11 and a county.

12 "(2) CUSTOMIZED PATIENT MEDICATION PACKAGE. A
13 package that is prepared by a pharmacist for a specific
14 patient and that contains two or more prescribed solid oral
15 dosage forms.

16 "(3) REPACKAGING. The process by which the pharmacy
17 prepares a prescription it accepts pursuant to this section in
18 a unit-dose package, unit-of-issue package or customized
19 patient medication package for immediate dispensing in
20 accordance with a current prescription.

21 "(4) UNIT-DOSE PACKAGE. A package that contains a
22 single-dose drug with the name, strength, control number, and
23 expiration date of that drug on the label.

24 "(5) UNIT-OF-ISSUE PACKAGE. A package that provides
25 multiple doses of the same drug, but each drug is individually
26 separated and includes the name, lot number, and expiration
27 date of the drug.

1 "(b) A pharmacy operated by the Alabama Department
2 of Corrections or by a county for a county jail or operated by
3 a company under contract with the Alabama Department of
4 Corrections or with a county for a county jail, shall accept
5 for the purpose of redispensing a prescription drug that has
6 been dispensed and has left the control of the pharmacy or
7 pharmacist if the prescription drug is being returned by a
8 corrections facility that has met the requirements of routine
9 on-site inspections by the pharmacy or pharmacist and has a
10 registered professional nurse or a licensed practical nurse
11 who is responsible for the security, handling, and
12 administration of prescription drugs within that corrections
13 facility and if all of the following conditions are met:

14 "(1) The pharmacy or pharmacist is satisfied that
15 the conditions under which the prescription drug has been
16 delivered, stored, and handled before and during its return
17 were such as to prevent damage, deterioration, or
18 contamination that would adversely affect the identity,
19 strength, quality, purity, stability, integrity, or
20 effectiveness of the prescription drug.

21 "(2) The pharmacist is satisfied that the
22 prescription drug did not leave the control of the registered
23 professional nurse or licensed practical nurse responsible for
24 the security, handling, and administration of that
25 prescription drug and that the prescription drug did not come
26 into the physical possession of the individual for whom it was
27 prescribed.

1 "(3) The pharmacist is satisfied that the labeling
2 and packaging of the prescription drug are accurate, have not
3 been altered, defaced, or tampered with and include the
4 identity, strength, expiration date, and lot number of the
5 prescription drug.

6 "(4) The prescription drug was dispensed in a
7 unit-dose package or unit-of-issue package.

8 "(c) A pharmacy operated by the Alabama Department
9 of Corrections or by a county for a county jail or operated by
10 a company under contract with the Alabama Department of
11 Corrections or with a county for a county jail shall not
12 accept for return prescription drugs as provided pursuant to
13 this section until the pharmacist in charge develops a written
14 set of protocols for accepting, returning to stock,
15 repackaging, labeling, and redispensing prescription drugs.
16 The written protocols shall be maintained on the premises of
17 any pharmacy dispensing prescriptions for the Alabama
18 Department of Corrections or a county jail and shall be
19 readily accessible to each pharmacist on duty. The written
20 protocols shall include, at a minimum, each of the following:

21 "(1) Methods for ensuring that damage,
22 deterioration, or contamination has not occurred during the
23 delivery, handling, storage, or return of the prescription
24 drugs such that it would adversely affect the identity,
25 strength, quality, purity, stability, integrity, or
26 effectiveness of the prescription drugs or otherwise render
27 the drugs unfit for distribution.

1 "(2) Methods for accepting, returning to stock,
2 repackaging, labeling, and redispensing the prescription drugs
3 returned pursuant to this section.

4 "(3) A uniform system of recording and tracking
5 prescription drugs that are returned to stock, repackaged,
6 labeled, and redistributed pursuant to this section.

7 "(d) If the condition of a prescription drug and its
8 package meets the standards set forth in subsection (c), a
9 prescription drug shall be returned to stock and redistributed
10 as follows:

11 "(1) A prescription drug that was originally
12 dispensed in the manufacturer's unit-dose package or
13 unit-of-issue package that is returned in that same package
14 may be returned to stock, repackaged, and redispensed as
15 needed.

16 "(2) A prescription drug that is repackaged into a
17 unit-dose package or a unit-of-issue package by the pharmacy,
18 dispensed and returned to that pharmacy in that unit-dose
19 package or unit-of-issue package may be returned to stock, but
20 it shall not be repackaged. A unit-dose package or
21 unit-of-issue package prepared by the pharmacist and returned
22 to stock shall only be redispensed in that same unit-dose
23 package or unit-of-issue package and shall only be redispensed
24 once. A pharmacist shall not add unit-dose package drugs to a
25 partially used unit-of-issue package.

26 "(e) This section does not apply to any of the
27 following:

1 "(1) A controlled substance.

2 "(2) A prescription drug that is dispensed as part
3 of a customized patient medication package.

4 "(3) A prescription drug that is not dispensed as a
5 unit-dose package or a unit-of-issue package.

6 "(4) A prescription drug that is not properly
7 labeled with the identity, strength, lot number, and
8 expiration date."

9 Section 2. This act shall become effective
10 immediately following its passage and approval by the
11 Governor, or its otherwise becoming law.