

## House Bill 481

By: Representatives Parham of the 122<sup>nd</sup>, Childers of the 13<sup>th</sup>, Parrish of the 144<sup>th</sup>, Graves of the 125<sup>th</sup> and Stephens of the 150<sup>th</sup>

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to  
2 pharmacists and pharmacies, so as to change the provisions relating to definitions; to provide  
3 for an exemption for the Georgia Emergency Management Agency from certain registration  
4 and permit requirements; to change the provisions relating to dispensing drugs by certain  
5 practitioners; to repeal conflicting laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and  
9 pharmacies, is amended by striking paragraph 26 of Code Section 26-4-5, relating to  
10 definitions, and inserting in its place the following:

11 " "(26) 'Person' means an individual, corporation, government, or governmental subdivision  
12 or agency, business trust estate, trust, partnership, or association, or any other legal entity."

13 **SECTION 2.**

14 Said chapter is further amended by adding after paragraph (18) of subsection (a) of Code  
15 Section 26-4-28, relating to powers of the Georgia State Board of Pharmacy, a new  
16 paragraph to read as follows:

17 " "(18.1) In times when a state of emergency is declared, the Georgia Emergency  
18 Management Agency (GEMA) is exempt from board requirements to register or obtain  
19 a permit to receive, possess, and distribute controlled substances and dangerous drugs as  
20 required under Code Sections 16-13-35, 26-4-113, and 26-4-115."

21 **SECTION 3.**

22 Said chapter is further amended by striking subsections (b) and (c) of Code Section 26-4-130,  
23 relating to dispensing drugs by certain practitioners, and inserting in their place the  
24 following:

1       "(b) The other provisions of this chapter and Article 3 of Chapter 13 of Title 16 shall not  
2       apply to practitioners of the healing arts prescribing or compounding their own  
3       prescriptions and dispensing any drugs solely for their own patients except as provided in  
4       this Code section. Nor shall such provisions prohibit the administration of drugs by a  
5       practitioner of the healing arts or any person under the supervision of such practitioner or  
6       by the direction of such practitioner except as provided in this Code section. Any term  
7       used in this subsection and defined in Code Section 43-34-26.1 shall have the meaning  
8       provided for such term in Code Section 43-34-26.1. The other provisions of this chapter  
9       and Articles 2 and 3 of Chapter 13 of Title 16 shall not apply to persons authorized by  
10      Code Section 43-34-26.1 to order, dispense, or administer drugs when such persons order,  
11      dispense, or administer those drugs in conformity with Code Section 43-34-26.1. When a  
12      A person dispenses drugs may only dispense drugs to his or her own patients and pursuant  
13      to the authority delegated to that person under the provisions of Code Section 43-34-26.1,  
14      when, with regard to the drugs so dispensed, that person ~~shall comply~~ complies with the  
15      requirements placed upon practitioners by subsections (c) and (d) of this Code section.  
16      (c) ~~All practitioners~~ Practitioners who can only dispense drugs to their own patients shall  
17      comply with all record-keeping, labeling, packaging, and storage requirements imposed  
18      upon pharmacists and pharmacies with regard to such drugs pursuant to this chapter and  
19      Chapter 13 of Title 16."

20

**SECTION 4.**

21      All laws and parts of laws in conflict with this Act are repealed.