

The House Committee on Health and Human Services offers the following substitute to SB 502:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to
2 controlled substances, so as to revise definitions relating to regulation of controlled
3 substances; to change certain provisions relating to transactions in drug related objects; to
4 provide for limitations on the distribution of single entity doses of pseudoephedrine and
5 ephedrine; to change certain provisions relating to the definition of dangerous drug; to
6 provide for exceptions; to provide an effective date; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled
11 substances, is amended in Code Section 16-13-21, relating to definitions relative to
12 regulation of controlled substances, by adding a new paragraph to the end of such Code
13 section to read as follows:

14 "(30) 'Single entity dose' means a drug product which is manufactured, packaged, or sold
15 and contains only one active ingredient per individual dose of medication and is not
16 manufactured, packaged, or sold in combination with two or more active ingredients per
17 individual dose of medication."

18 **SECTION 2.**

19 Said chapter is further amended in Code Section 16-13-32, relating to transactions in drug
20 related objects, by striking subsection (c) in its entirety and inserting in lieu thereof the
21 following:

22 "(c) It shall be unlawful for any person or corporation, other than a licensed pharmacist,
23 a pharmacy intern or pharmacy extern as defined in Code Section 26-4-5, or a practitioner
24 licensed to dispense ~~Legend Drugs~~ dangerous drugs, to sell, lend, rent, lease, give,
25 exchange, or otherwise distribute to any person a hypodermic syringe or needle designed

1 or marketed primarily for human use. ~~It shall be an affirmative defense that the hypodermic~~
 2 ~~syringe or needle was marketed for a legitimate medical purpose."~~

3 **SECTION 3.**

4 Said chapter is further amended by inserting a new Code section after Code Section
 5 16-13-32.6, relating to manufacturing, distributing, dispensing, or possessing with intent to
 6 distribute controlled substance or marijuana in, on, or within drug-free commercial zone, to
 7 read as follows:

8 "16-13-32.7.

9 It shall be unlawful for any person or corporation, other than a licensed pharmacist, a
 10 pharmacy intern or pharmacy extern as defined in Code Section 26-4-5, or a practitioner
 11 licensed to dispense dangerous drugs, to sell, dispense, give, or otherwise distribute a single
 12 entity dose of pseudoephedrine or ephedrine."

13 **SECTION 4.**

14 Said chapter is further amended in Code Section 16-13-71, relating to the definition of
 15 dangerous drug, by striking paragraphs (509.1), (573), (641.1), (663.5), (931.9), and (931.85)
 16 of subsection (b) and inserting in lieu thereof the following:

17 "(509.1) Ketoconazole; — See exceptions;"

18 "(573) ~~Methachloine~~ Methacholine;"

19 "(641.1) ~~Nicotin~~ Nicotine resin complex (polacrilex) — See exceptions;"

20 "(663.5) Omeprazole — See exceptions;"

21 "~~(931.9)~~(931.85) Terazosin;

22 "~~(931.85)~~(931.9) Tenofovir;"

23 **SECTION 5.**

24 Said Code section is further amended in subsection (b) by inserting new paragraphs to read
 25 as follows:

26 "(.035) Abarelix;"

27 "(19.65) Alfuzosin;"

28 "(62.4) Aprepitant;"

29 "(63.5) Aripiprazole;"

30 "(67.72) Atazanavir;"

31 "(105.3) Bortezomib;"

32 "(192.7) Cilostazol;"

33 "(240.3) Daptomycin;"

34 "(331.072) Emtricitabine;"

- 1 "(332.2) Enfuvirtide;"
 2 "(332.9) Epinastine;"
 3 "(334.4) Eplerenone;"
 4 "(348.722) Escitalopram;"
 5 "(380.7) Ezetimibe;"
 6 "(383.15) Ferric Hexacyanoferrate;"
 7 "(406.3) Fosamprenavir;"
 8 "(412.04) Gefitinib;"
 9 "(412.2) Gemifloxacin;"
 10 "(463.03) Ibandronate;"
 11 "(553.5) Memantine;"
 12 "(617.22) Midubosathol;"
 13 "(617.44) Miglustat;"
 14 "(644.72) Nitazoxanide;"
 15 "(666.4) Oxaliplatin;"
 16 "(681.5) Palonosetron;"
 17 "(692.52) Pegvisomant;"
 18 "(845.8) Rosuvastatin;"
 19 "(1025.5) Vardenafil;" .

20 **SECTION 6.**

21 Said Code section is further amended in subsection (c) by inserting a new paragraph to read
 22 as follows:

23 "(16.9) Omeprazole — when a single dosage unit is 20.6 mg. or less;" .

24 **SECTION 7.**

25 Said Code section is further amended in subsection (c) by striking paragraph (28.5) and
 26 inserting in lieu thereof the following:

27 "(28.5) Triprolidine — when a single dose is 5 mg. or less when combined in the same
 28 preparation as one or more other drug products for use as an antihistamine or
 29 decongestant or an ~~antihistimine~~ antihistamine and decongestant;" .

30 **SECTION 8.**

31 This Act shall become effective upon its approval by the Governor or upon its becoming law
 32 without such approval.

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SECTION 9.

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