

The Senate Health and Human Services Committee offered the following substitute to HB 1054:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change certain provisions relating to Schedule I controlled substances; to change certain provisions relating to Schedule IV controlled substances; to change certain provisions relating to the definition of the term "dangerous drug"; to amend Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacies, so as to provide for an exception to the requirement that expired drugs be returned by emergency service providers to the issuing pharmacy; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, is amended in Code Section 16-13-25, relating to Schedule I controlled substances, by striking subparagraphs (O), (Z), and (SS) of paragraph (3) and inserting in their respective places the following:

"(O) Psilocyn (Psilocin);"

"(Z) 3, 4-Methylenedioxymethamphetamine (MDMA);"

"(SS) ~~MDMA (3, 4 Methylene Dioxymethamphetamine)~~ Reserved;"

SECTION 2.

Said chapter is further amended in Code Section 16-13-28, relating to Schedule IV controlled substances, by striking paragraph (33) and inserting its place the following:

"(33) Zolpidem;

(34) Zopiclone, and all salts, isomers, and salts of isomers thereof."

SECTION 3.

Said chapter is further amended in Code Section 16-13-71, relating to the definition of dangerous drug, by striking paragraphs (116.05), (116.1), (193.5), (515), (663.1), and (663.75) in subsection (b) and inserting in their respective places the following:

"(116.05) ~~Buprenorphine~~ Reserved;"

"(116.1) ~~Bupropion~~ Bupropion;"

"(193.5) ~~Cinacalcet~~ Cinacalcet;"

"(515) ~~Levallorphan~~ Reserved;"

"(663.1) ~~Olmesartain~~ Olmesartan;"

"(663.75) Orlistat – See exceptions;"

SECTION 4.

Said chapter is further amended in Code Section 16-13-71, relating to the definition of dangerous drug, by inserting new paragraphs in subsection (b) to read as follows:

"(13.53) Adalimumab;"

"(108.5) Bromfenac;"

"(243.5) Deferasirox;"

"(332.85) Entecavir;"

"(380.6) Exenatide;"

"(409.8) Galsulfase;"

"(464.7) Iloprost;"

"(513.7) Lenalidomide;"

"(544.5) Mecasermin;"

"(616.05) Micafungin;"

"(638.75) Nelarabine;"

"(640.1) Nepafenac;"

"(681.4) Palifermin;"

"(692.51) Pegfilgrastin;"

"(692.515) Peginterferon;"

"(769.3) Pramlintide;"

"(772.5) Pregabalin;"

"(831.04) Ramelteon;"

"(843.2) Risedronate;"

"(966.3) Tigecycline;"

"(967.57) Tipranavir;"

SECTION 5.

Said chapter is further amended in Code Section 16-13-71, relating to the definition of dangerous drug, by inserting a new paragraph in subsection (c) to read as follows:

"(16.95) Orlistat – when a single dosage unit is 60 mg. or less;"

SECTION 6.

Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacies, is amended in Code Section 26-4-116, relating to emergency service providers, contracts with issuing pharmacy, record keeping, and inspections, by striking subsection (g) and inserting in its place the following:

"(g) All outdated, expired, unused, or unusable drugs shall be returned to the issuing pharmacy for proper disposition in a manner acceptable to the board; provided, however, that this subsection shall not apply to expired biologic product in single dose packaging, with orphan drug designation by the federal Food and Drug Administration, that is considered life-saving rescue medication and is critical to natural disaster management, as determined by the board in consultation with the Georgia Emergency Management Agency."

SECTION 7.

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

SECTION 8.

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