

Senate Bill 134

By: Senators Carter of the 1st, Millar of the 40th, Hufstetler of the 52nd, Orrock of the 36th and Stone of the 23rd

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-13-21 of the Official Code of Georgia Annotated, relating to
2 definitions relative to controlled substances, so as to revise the definition of "dispenser"; to
3 revise the definition of "prescriber"; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Code Section 16-13-21 of the Official Code of Georgia Annotated, relating to definitions
7 relative to controlled substances, is amended by revising paragraphs (10) and (23.1) as
8 follows:

9 "(10) 'Dispenser' means a person ~~that delivers~~ licensed under the laws of this state, or any
10 other state or territory of the United States to dispense or deliver a Schedule II, III, IV,
11 or V controlled substance to the ultimate user in this state but shall not include:

12 (A) A pharmacy licensed as a hospital pharmacy by the Georgia State Board of
13 Pharmacy pursuant to Code Section 26-4-110;

14 (B) An institutional pharmacy that serves only a health care facility, including, but not
15 limited to, a nursing home, an intermediate care home, a personal care home, or a
16 hospice program, which provides patient care and which pharmacy dispenses such
17 substances to be administered and used by a patient on the premises of the facility;

18 (C) A practitioner or other authorized person who administers such a substance; or

19 (D) A pharmacy operated by, on behalf of, or under contract with the Department of
20 Corrections for the sole and exclusive purpose of providing services in a secure
21 environment to prisoners within a penal institution, penitentiary, prison, detention
22 center, or other secure correctional institution. This shall include correctional
23 institutions operated by private entities in this state which house inmates under the
24 Department of Corrections."

25 "(23.1) 'Prescriber' means a physician, dentist, scientific investigator, or other person
26 licensed, registered, or otherwise authorized under the laws of this state, or any other state

27 or territory of the United States, to prescribe a controlled substance in the course of
28 professional practice or research in this state."

29 **SECTION 2.**

30 All laws and parts of laws in conflict with this Act are repealed.