

Senators Heath of the 31st and Unterman of the 45th offered the following amendment:

**ADOPTED**

*Amend the Senate Committee on Health and Human Services substitute to SB 241 (LC 37 2387S) by deleting line 10 and inserting in lieu thereof the following:*

base of prescription information; to amend Article 9 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to hospice care, so as to provide for the disposal of controlled substances upon the death of a hospice patient; to provide for a definition; to provide for persons authorized to dispose of controlled substances; to provide for a time frame; to provide for related matters; to repeal conflicting laws;

*By inserting after line 282 the following:*

Article 9 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to hospice care, is amended by adding a new Code section to read as follows:

"31-7-180.

(a) As used in this Code section, the term 'controlled substance' means a drug, substance, or immediate precursor in Schedules I through V of Code Sections 16-13-25 through 16-13-29.

(b) When a person dies while lawfully in possession of a controlled substance for personal use, any person lawfully entitled to dispose of the decedent's property may deliver the controlled substance to another person for the purpose of disposal under the same conditions as provided for ultimate users pursuant to 21 U.S.C. 822(g) (4). An ultimate user includes a person who has lawfully obtained and possesses a controlled substance for his or her own use or for use by a member of his or her household pursuant to 21 U.S.C. 802(27). A member of the hospice patient family unit or the hospice care team as such terms are defined in this article shall be authorized to dispose of the deceased patient's controlled substances under this Code section. Such controlled substances shall be disposed of in accordance with the federal Controlled Substances Act. Such disposal shall be conducted within 72 hours of the death of the patient."

## SECTION 11.