

House Bill 791 (COMMITTEE SUBSTITUTE)

By: Representative Stephens of the 164th

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 26-4-80 of the Official Code of Georgia Annotated, relating to
 2 license required for practice of pharmacy, dispensing prescription drugs, prescription drug
 3 orders, electronically transmitting drug orders, refills, and Schedule II controlled substance
 4 prescriptions, so as to authorize a pharmacist to dispense up to a 90 day supply of a
 5 maintenance medication under certain conditions; to provide for exceptions; to provide for
 6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 26-4-80 of the Official Code of Georgia Annotated, relating to license required
 10 for practice of pharmacy, dispensing prescription drugs, prescription drug orders,
 11 electronically transmitting drug orders, refills, and Schedule II controlled substance
 12 prescriptions, is amended by adding a new subsection to read as follows:

13 "(q)(1) A pharmacist may, in the exercise of his or her professional judgment and in
 14 consultation with the patient, dispense up to a 90 day supply of maintenance medication
 15 for treatment of chronic illnesses up to the total number of dosage units as authorized by
 16 the prescriber on the prescription, including any refills, unless:

17 (A) The prescriber has specified on the prescription that concurrently dispensing initial
 18 amounts and refills of such maintenance medication is not allowed; or

19 (B) It is the initial filling of a prescription for a new maintenance medication or dosage
 20 for the patient.

21 (2) Paragraph (1) of this subsection shall not apply to Schedule II, III, IV, or V controlled
 22 substances."

23 **SECTION 2.**

24 All laws and parts of laws in conflict with this Act are repealed.