

113TH CONGRESS
2D SESSION

S. 2825

To amend the Controlled Substances Act to treat as dispensing the delivery of a controlled substance by a pharmacy to a practitioner, pursuant to a patient-specific prescription of the practitioner, under certain circumstances.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 2014

Mr. BROWN (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Controlled Substances Act to treat as dispensing the delivery of a controlled substance by a pharmacy to a practitioner, pursuant to a patient-specific prescription of the practitioner, under certain circumstances.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ensuring Safe Access
5 to Prescription Medication Act of 2014”.

1 **SEC. 2. DELIVERY OF CONTROLLED SUBSTANCES BY A**
 2 **PHARMACY TO A PRACTITIONER PURSUANT**
 3 **TO A PATIENT-SPECIFIC PRESCRIPTION.**

4 Section 102(10) of the Controlled Substances Act (21
 5 U.S.C. 802(10)) is amended—

6 (1) by striking “(10) The term ‘dispense’
 7 means to deliver” and inserting the following:

8 “(10)(A) The term ‘dispense’ means—

9 “(i) to deliver”;

10 (2) by striking “The term ‘dispenser’ means a
 11 practitioner” and inserting the following:

12 “(B) The term ‘dispenser’ means a practitioner”;

13 (3) in subparagraph (A), as so designated—

14 (A) by striking the period at the end and
 15 inserting “; or”; and

16 (B) by adding at the end the following:

17 “(ii) to deliver a controlled substance by a phar-
 18 macy to a practitioner, including the packaging, la-
 19 beling, or compounding necessary to prepare the
 20 substance for such delivery, if—

21 “(I) such delivery is pursuant to a patient-
 22 specific prescription of the practitioner; and

23 “(II) the practitioner has deemed that it is
 24 medically necessary, acting in the usual course
 25 of professional practice, for the controlled sub-

1 stance to be administered by the practitioner to
2 the patient.”; and
3 (4) in subparagraph (B), as so designated, by
4 striking “to an ultimate user or research subject”.

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