

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2853

By: Inman

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5  
6 AS INTRODUCED

7 An Act relating to professions and occupations;  
8 amending 59 O.S. 2001, Section 353.13A, as last  
9 amended by Section 12, Chapter 321, O.S.L. 2009 (59  
10 O.S. Supp. 2009, Section 353.13A), which relates to  
11 prescriptions; directing certain information to be  
12 placed on a prescription label in certain  
13 circumstance; requiring certain persons to provide  
14 specified information; providing exceptions;  
15 prohibiting certain act from being admissible  
16 evidence of malpractice in litigation; and providing  
17 an effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. AMENDATORY 59 O.S. 2001, Section 353.13A, as  
20 last amended by Section 12, Chapter 321, O.S.L. 2009 (59 O.S. Supp.  
21 2009, Section 353.13A), is amended to read as follows:

22 Section 353.13A A. Prescriptions received by other than  
23 written communication shall be promptly recorded in writing by the  
24 pharmacist. The record made by the pharmacist shall constitute the  
original prescription to be filled by the pharmacist.

1 B. Pharmacists may dispense prescriptions for dangerous drugs  
2 and controlled dangerous substances specified in Section 581 of this  
3 title for ocular abnormalities prescribed by optometrists licensed  
4 by the Oklahoma Board of Examiners in Optometry. All prescriptions  
5 issued by licensed optometrists shall include the license number of  
6 the optometrist as assigned by the Oklahoma Board of Examiners in  
7 Optometry.

8 C. 1. A filled prescription label shall include the name and  
9 address of the pharmacy of origin, date of filling, name of patient,  
10 name of prescriber, directions for administration, and prescription  
11 number. ~~The~~ If provided by the practitioner or the practitioner's  
12 representative, the symptom or purpose for which the drug is being  
13 prescribed may shall also appear on the label, if provided by the.  
14 The practitioner and or the practitioner's representative shall  
15 provide to the pharmacy of origin the symptom or purpose for which  
16 the drug is prescribed unless the patient or the patient's  
17 authorized representative so requests otherwise. If the symptom or  
18 purpose for which a drug is being prescribed is not provided by the  
19 practitioner or the practitioner's representative, pursuant to the  
20 request of the patient or authorized representative of the patient,  
21 the pharmacist may fill the prescription order without contacting  
22 the practitioner, patient, or the patient's authorized  
23 representative.

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1        2. The label shall also include the trade or generic name, and  
2 the quantity and strength of the drug therein contained, except when  
3 otherwise directed by the prescriber. ~~This requirement~~

4        3. The requirements of this subsection shall not apply to  
5 prescriptions or medicines and drugs supplied or delivered directly  
6 to patients for consumption on the premises while admitted to any  
7 hospital or mental institution.

8        4. Failure to provide the symptom or purpose for which the drug  
9 is prescribed on the label shall not be admissible evidence of  
10 malpractice in litigation.

11        D. No prescription shall be written in any characters, figures  
12 or ciphers other than in the English or Latin language, generally in  
13 use among medical and pharmaceutical practitioners.

14        SECTION 2. This act shall become effective November 1, 2010.

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16        52-2-9001            AM            12/28/09

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