

SECOND REGULAR SESSION

# SENATE BILL NO. 566

93RD GENERAL ASSEMBLY

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INTRODUCED BY SENATORS DOUGHERTY, GRAHAM, KENNEDY AND BRAY.

Pre-filed December 1, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

3362S.01I

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## AN ACT

To repeal sections 195.070 and 195.100, RSMo, and to enact in lieu thereof two new sections relating to advanced practice registered nurses.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 195.070 and 195.100, RSMo, are repealed and two new  
2 sections enacted in lieu thereof, to be known as sections 195.070 and 195.100, to  
3 read as follows:

195.070. 1. A physician, podiatrist, dentist, or a registered optometrist  
2 certified to administer pharmaceutical agents as provided in section 336.220,  
3 RSMo, **or advanced practice registered nurse delegated the authority to**  
4 **prescribe controlled substances listed in Schedules II, III, IV, or V of**  
5 **section 195.017, under a collaborative practice agreement**, in good faith  
6 and in the course of his or her professional practice only, may prescribe,  
7 administer, and dispense controlled substances or he or she may cause the same  
8 to be administered or dispensed by an individual as authorized by statute.

9 2. A veterinarian, in good faith and in the course of his professional  
10 practice only, and not for use by a human being, may prescribe, administer, and  
11 dispense controlled substances and he may cause them to be administered by an  
12 assistant or orderly under his direction and supervision.

13 3. A practitioner shall not accept any portion of a controlled substance  
14 unused by a patient, for any reason, if such practitioner did not originally  
15 dispense the drug.

16 4. An individual practitioner may not prescribe or dispense a controlled  
17 substance for such practitioner's personal use except in a medical emergency.

195.100. 1. It shall be unlawful to distribute any controlled substance in

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

2 a commercial container unless such container bears a label containing an  
3 identifying symbol for such substance in accordance with federal laws.

4 2. It shall be unlawful for any manufacturer of any controlled substance  
5 to distribute such substance unless the labeling thereof conforms to the  
6 requirements of federal law and contains the identifying symbol required in  
7 subsection 1 of this section.

8 3. The label of a controlled substance in Schedule II, III or IV shall, when  
9 dispensed to or for a patient, contain a clear, concise warning that it is a criminal  
10 offense to transfer such narcotic or dangerous drug to any person other than the  
11 patient.

12 4. Whenever a manufacturer sells or dispenses a controlled substance and  
13 whenever a wholesaler sells or dispenses a controlled substance in a package  
14 prepared by him, he shall securely affix to each package in which that drug is  
15 contained, a label showing in legible English the name and address of the vendor  
16 and the quantity, kind, and form of controlled substance contained therein. No  
17 person except a pharmacist for the purpose of filling a prescription under sections  
18 195.005 to 195.425, shall alter, deface, or remove any label so affixed.

19 5. Whenever a pharmacist or practitioner sells or dispenses any controlled  
20 substance on a prescription issued by a physician, dentist, podiatrist [or],  
21 veterinarian, **or advanced practice registered nurse**, he shall affix to the  
22 container in which such drug is sold or dispensed, a label showing his own name  
23 and address of the pharmacy or practitioner for whom he is lawfully acting; the  
24 name of the patient or, if the patient is an animal, the name of the owner of the  
25 animal and the species of the animal; the name of the physician, dentist,  
26 podiatrist or veterinarian by whom the prescription was written; and such  
27 directions as may be stated on the prescription. No person shall alter, deface, or  
28 remove any label so affixed.

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