

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2641 Session of 2010

INTRODUCED BY PYLE, M. SMITH, ADOLPH, BAKER, BARRAR, BEAR, BEYER, BOBACK, BRADFORD, BROOKS, BROWN, CHRISTIANA, CLYMER, D. COSTA, P. COSTA, CREIGHTON, CUTLER, DALEY, DELOZIER, DeLUCA, DENLINGER, DERMODY, DiGIROLAMO, EACHUS, ELLIS, EVERETT, FAIRCHILD, FARRY, FRANKEL, GABIG, GABLER, GEIST, GERBER, GERGELY, GINGRICH, GRELL, GROVE, HAHN, HARHAI, HARPER, HARRIS, HELM, HENNESSEY, HESS, HICKERNELL, HORNAMAN, HUTCHINSON, KAUFFMAN, M. KELLER, KILLION, KNOWLES, KOTIK, KRIEGER, MAHER, MAJOR, MARKOSEK, MARSHALL, MARSICO, MATZIE, METCALFE, MICCARELLI, MILLARD, MOUL, MURPHY, MURT, MUSTIO, OBERLANDER, O'NEILL, PALLONE, PEIFER, PERRY, PETRARCA, PICKETT, QUIGLEY, QUINN, RAPP, RAVENSTAHL, REED, REESE, REICHLEY, ROAE, ROCK, ROHRER, SABATINA, SAYLOR, SCAVELLO, SCHRODER, SHAPIRO, SIPTROTH, K. SMITH, SOLOBAY, SONNEY, STERN, STEVENSON, SWANGER, TALLMAN, TOEPEL, TRUE, TURZAI, VEREB, VULAKOVICH, WATSON AND YOUNGBLOOD, JULY 6, 2010

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, JULY 6, 2010

AN ACT

1 Amending the act of September 27, 1961 (P.L.1700, No.699),
 2 entitled "An act relating to the regulation of the practice
 3 of pharmacy, including the sales, use and distribution of
 4 drugs and devices at retail; and amending, revising,
 5 consolidating and repealing certain laws relating thereto,"
 6 providing for sale of needles and syringes by pharmacists.

7 The General Assembly of the Commonwealth of Pennsylvania
 8 hereby enacts as follows:

9 Section 1. The act of September 27, 1961 (P.L.1700, No.699),
 10 known as the Pharmacy Act, is amended by adding a section to
 11 read:

12 Section 9.5. Sale of Needles and Syringes by Pharmacists.--
 13 Sales of hypodermic needles and syringes shall be made by a

1 pharmacist or under the direct, immediate and personal
2 supervision of a pharmacist in accordance with the following:

3 (1) Up to thirty hypodermic needles and syringes may be sold
4 to persons eighteen years of age or older without a
5 prescription.

6 (2) Sales of over thirty hypodermic needles and syringes
7 shall be made only to persons presenting a prescription issued
8 by a licensed practitioner.

9 (3) Sales of hypodermic needles and syringes may not be made
10 to persons under eighteen years of age without a prescription.

11 (4) All hypodermic needles and syringes must be kept in the
12 prescription area of the pharmacy and must be accessible only by
13 pharmacists and pharmacy personnel authorized to be in the
14 prescription area of the pharmacy while the pharmacy is open.

15 Section 2. This act shall take effect in 60 days.