

AN ACT

Amending the act of April 14, 1972, entitled, "An act relating to the manufacture, sale and possession of controlled substances, other drugs, devices and cosmetics; conferring powers on the courts and the secretary and Department of Health, and a newly created Pennsylvania Drug, Device and Cosmetic Board; establishing schedules of controlled substances; providing penalties; requiring registration of persons engaged in the drug trade and for the revocation or suspension of certain licenses and registrations; and repealing an act," further providing for professional prescription, administration, and dispensing.

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

Section 1. Section 12 of the Act of April 14, 1972, PL. No.64, known as the Controlled Substance, Drug, Device and Cosmetic Act, is amended by adding a subsection to read.

Section 11. Professional Prescription, Administration, and Dispensing.—

(e) A veterinarian may prescribe, administer, or dispense a controlled substance, other drug or device only (i) in good faith in the course of his professional practice, and (ii) not for use by a human being. He may cause a controlled substance, other drug or device to be administered by a professional assistant under his direction and supervision. Provided, however, that any controlled substance listed on Schedule I, Schedule II or Schedule III of the schedules of controlled substances established under section 4, which is opium or opiate or which is any compound, salt, derivate or preparation of opium or opiate shall be reported to the Board of Veterinary Medicine for the purposes of monitoring and tracking such controlled substance in accordance with ?????

Section 2. Section 12 of the act is amended to read:

Section 12. Records of Distribution of Controlled Substances.--(a) Every person who sells or otherwise distributes controlled substances, shall keep records of all purchases or other receipt and sales or other distribution of such substances for two years from the date of purchase or sale. Such records shall include the name and address of the person from whom purchased or otherwise received or to whom sold or otherwise distributed, the date of purchase or receipt or sale or distribution, and the quantity involved: Provided, however, That this subsection shall not apply to a practitioner who dispenses controlled substances to his patients, unless the practitioner is regularly engaged in charging his patients, whether separately or together with charges for other professional services, for substances so dispensed and unless the controlled substance dispensed by the practitioner to any patient, with or without charge, is listed on Schedule I, Schedule II or Schedule III of the schedules of controlled substances established under section 4, which controlled substance so dispensed is opium or an opiate, including any compound, salt, derivate or preparation of opium or an opiate. Notwithstanding any provision of this act or other law or regulation to the contrary, this section shall apply to any person who sells

or otherwise distributes controlled substances listed on Schedule I, Schedule II or Schedule III of the schedules of controlled substances established under section 4, which is opium or an opiate, including any compound, salt, derivate or preparation of opium or opiate to a veterinarian.

(b) Every practitioner licensed by law to administer, dispense or distribute controlled substances shall keep a record of all such substances administered, dispensed or distributed by him, showing the amount administered, dispensed or distributed, the date, the name and address of the patient, and in the case of a veterinarian, the name and address of the owners of the animal to whom such substances are dispensed or distributed. Such record shall be kept for two years from the date of administering, dispensing or distributing such substance and shall be open for inspection by the proper authorities.

(c) Persons registered or licensed to manufacture or distribute or dispense a controlled substance, other drug or device under this act shall keep records and maintain inventories in conformity with the record-keeping, order form and inventory requirements of Federal law and with any additional regulations the secretary issues. Controlled substances in Schedules I and II shall be distributed by a registrant to another registrant only pursuant to an order form.

(d) Notwithstanding any other provision of law or regulation to the contrary, the Pennsylvania State Board of Veterinary Medicine established under section 4 of the Act of December 27, 1974 (P.L.995, No.326), known as the "Veterinary Medicine Practice Act," shall develop and implement a computerized program to monitor and track the dispensing of a veterinary controlled substances which are