

1 S.190

2 Introduced by Senator Lyons

3 Referred to Committee on Health and Welfare

4 Date: January 5, 2016

5 Subject: Health; prescription drugs; controlled substances

6 Statement of purpose of bill as introduced: This bill proposes to permit an
7 individual for whom a regulated prescription drug was prescribed, dispensed,
8 or sold by a physician, dentist, or pharmacist to maintain up to a 14-day supply
9 of the drug for personal use outside the original prescription container.

10 An act relating to maintaining prescription drugs outside the original
11 prescription container

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 ~~Sec. 1. 18 V.S.A. § 4216 is amended to read:~~

14 § 4216. AUTHORIZED POSSESSION BY INDIVIDUALS

15 (a) A person to whom or for whose use any regulated drug has been
16 prescribed, sold, or dispensed, and the owner of any animal for which any such
17 drug has been prescribed, sold, or dispensed, may lawfully possess the same on
18 the condition that such drug was prescribed, sold, or dispensed by a physician,
19 dentist, pharmacist, or veterinarian licensed under this chapter to practice in
20 this State or under the laws of another state or country wherein such person has

1 ~~his or her practice, and further that all amounts of the drug are retained in the~~
2 lawful container in which it was delivered to him or her by the person selling
3 or dispensing the same, ~~provided however, that for the purposes of this section~~
4 ~~an amount of regulated drugs of not more than two days' individual prescribed~~
5 ~~dosage may be possessed by a patient for his or her personal use.~~

6 (b) Notwithstanding the requirement in subsection (a) of this section that a
7 regulated drug be retained in its original container, the individual to whom a
8 regulated drug was prescribed, dispensed, or sold by a physician, dentist, or
9 pharmacist licensed in Vermont or in another state or country may maintain up
10 to a 14-day supply of the regulated drug outside the original container for his
11 or her own personal use.

12 Sec. 2. EFFECTIVE DATE

13 ~~This act shall take effect on July 1, 2016.~~

Sec. 1. 18 V.S.A. § 4216 is amended to read:

§ 4216. AUTHORIZED POSSESSION BY INDIVIDUALS

(a) A person to whom or for whose use any regulated drug has been prescribed, sold, or dispensed, and the owner of any animal for which any such drug has been prescribed, sold, or dispensed, may lawfully possess the same on the condition that such drug was prescribed, sold, or dispensed by a physician, dentist, pharmacist, or veterinarian licensed ~~under this chapter to practice in this State~~ or under the laws of another state or country wherein such person has his or her practice, and further that all amounts of the drug are retained in the lawful container in which it was delivered to him or her by the person selling or dispensing the same, ~~provided however, that for the purposes of this section an amount of regulated drugs of not more than two days' individual prescribed dosage may be possessed by a patient for his or her personal use.~~

(b) Notwithstanding the requirement in subsection (a) of this section that a regulated drug be retained in its original container, the individual to whom a regulated drug was prescribed, dispensed, or sold by a physician, dentist, or pharmacist licensed in Vermont or in another state or country may maintain up to a 14-day supply of the regulated drug outside the original container for his or her own personal use if the following conditions are met:

(1) the drug was prescribed for the individual;

(2) the individual is in possession of the original or a copy of the prescription label;

(3) at all times, the individual intends and has intended to use the drug only for legitimate medical use in conformity with instructions from the prescriber and dispenser; and

(4) the individual maintains the limited supply of the drug in a receptacle that reasonably constitutes a more convenient or portable format to enable the individual's legitimate medical use.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2016.