

HCS HB 898 -- PRESCRIPTION DRUG REPOSITORY PROGRAM

SPONSOR: Portwood (Johnson, 47)

COMMITTEE ACTION: Voted "do pass" by the Committee on Senior Security by a vote of 18 to 0.

This substitute establishes the Prescription Drug Repository Program in the Department of Health and Senior Services. The program must be established by January 1, 2005.

In its main provisions, the substitute:

- (1) Requires the program to accept and dispense donated prescription drugs to Missouri residents who meet eligibility criteria;
- (2) Establishes criteria for the acceptance of drugs used in the program;
- (3) Specifies which persons can donate prescription drugs to the program and the facilities where the drugs will be collected;
- (4) Allows voluntary participation of pharmacies, hospitals, and nonprofit clinics in the program;
- (5) Requires that a participating pharmacy, hospital, or nonprofit clinic dispense the donated prescription drugs to eligible Missouri residents in compliance with applicable federal and state drug laws;
- (6) Allows a participating entity to charge a fee to persons who receive the donated prescription drugs. The resale of donated prescription drugs is prohibited;
- (7) Prohibits persons or entities who do not violate provisions of the substitute and who act in good faith from being subject to criminal or civil liability;
- (8) Requires the director of the department, in consultation with the Missouri State Board of Pharmacy, to adopt rules to implement the program; and
- (9) Specifies the subject areas and procedures that the rules are required to address and implement.

The substitute contains penalty provisions.

FISCAL NOTE: No impact on state funds in FY 2005, FY 2006, and FY 2007.