

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1816, Page 1, In the Title, Lines 2 and 3, by deleting the words "the
2 licensure of physicians" and inserting in lieu thereof the words "health care"; and

3
4 Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the
5 following:

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7 *195.030. 1. The department of health and senior services upon public notice and hearing
8 pursuant to this section and chapter 536 may promulgate rules and charge [reasonable] and increase
9 any fees [relating to the] necessary to ensure the proper registration, regulation, and control of the
10 manufacture, distribution, prescription, and [dispensing] dispensation of controlled substances
11 within this state. No rule or portion of a rule promulgated pursuant to the authority of this chapter
12 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

13 2. No person shall manufacture, compound, mix, cultivate, grow, or by any other process
14 produce or prepare, distribute, dispense or prescribe any controlled substance and no person as a
15 wholesaler shall supply the same, without having first obtained a registration issued by the
16 department of health and senior services in accordance with rules and regulations promulgated by it.
17 No registration shall be granted for a term exceeding three years.

18 3. Persons registered by the department of health and senior services pursuant to this chapter
19 to manufacture, distribute, or dispense or conduct research with controlled substances are authorized
20 to possess, manufacture, distribute or dispense such substances, including any such activity in the
21 conduct of research, to the extent authorized by their registration and in conformity with other
22 provisions of this chapter and chapter 579.

23 4. The following persons shall not be required to register and may lawfully possess
24 controlled substances pursuant to this chapter and chapter 579:

25 (1) An agent or employee, excluding physicians, dentists, optometrists, podiatrists or
26 veterinarians, of any registered manufacturer, distributor, or dispenser of any controlled substance if
27 such agent is acting in the usual course of his or her business or employment;

28 (2) A common or contract carrier or warehouseman, or an employee thereof, whose
29 possession of any controlled substance is in the usual course of business or employment;

30 (3) An ultimate user or a person in possession of any controlled substance pursuant to a
31 lawful order of a practitioner or in lawful possession of a Schedule V substance.

32 5. The department of health and senior services may, by regulation, waive the requirement
33 for registration of certain manufacturers, distributors, or dispensers if it finds it consistent with the
34 public health and safety.

35 6. A separate registration shall be required at each principal place of business or
36 professional practice where the applicant manufactures, distributes, or dispenses controlled

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 substances.

2 7. The department of health and senior services is authorized to inspect the establishment of
3 a registrant or applicant in accordance with the provisions of this chapter.

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5 pursuant to this section and chapter 536 may promulgate rules and charge [reasonable] and increase
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12 wholesaler shall supply the same, without having first obtained a registration issued by the
13 department of health and senior services in accordance with rules and regulations promulgated by it.
14 No registration shall be granted for a term exceeding three years.

15 3. Persons registered by the department of health and senior services pursuant to sections
16 195.005 to 195.425 to manufacture, distribute, or dispense or conduct research with controlled
17 substances are authorized to possess, manufacture, distribute or dispense such substances, including
18 any such activity in the conduct of research, to the extent authorized by their registration and in
19 conformity with other provisions of sections 195.005 to 195.425.

20 4. The following persons shall not be required to register and may lawfully possess
21 controlled substances pursuant to sections 195.005 to 195.425:

22 (1) An agent or employee, excluding physicians, dentists, optometrists, podiatrists or
23 veterinarians, of any registered manufacturer, distributor, or dispenser of any controlled substance if
24 such agent is acting in the usual course of his or her business or employment;

25 (2) A common or contract carrier or warehouseman, or an employee thereof, whose
26 possession of any controlled substance is in the usual course of business or employment;

27 (3) An ultimate user or a person in possession of any controlled substance pursuant to a
28 lawful order of a practitioner or in lawful possession of a Schedule V substance.

29 5. The department of health and senior services may, by regulation, waive the requirement
30 for registration of certain manufacturers, distributors, or dispensers if it finds it consistent with the
31 public health and safety.

32 6. A separate registration shall be required at each principal place of business or
33 professional practice where the applicant manufactures, distributes, or dispenses controlled
34 substances.

35 7. The department of health and senior services is authorized to inspect the establishment of
36 a registrant or applicant in accordance with the provisions of sections 195.005 to 195.425."; and

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38 Further amend said bill by amending the title, enacting clause, and intersectional references
39 accordingly.

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