

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 1465, Page 1, In the Title, Line 3, by  
2 deleting the words "collaborative practice arrangements" and inserting in lieu thereof the words  
3 "health care"; and

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

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

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

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

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

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

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

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

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

36 6. A separate registration shall be required at each principal place of business or

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

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1 professional practice where the applicant manufactures, distributes, or dispenses controlled  
2 substances.

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

5 195.030. 1. The department of health and senior services upon public notice and hearing  
6 pursuant to this section and chapter 536 may promulgate rules and charge [reasonable] and increase  
7 any fees [relating to the] necessary to ensure the proper registration, regulation, and control of the  
8 manufacture, distribution, prescription, and [dispensing] dispensation of controlled substances  
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10 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

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

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

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

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

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

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

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

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

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

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

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