

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 696

By: Standridge

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5
6 AS INTRODUCED

7 An Act relating to pharmacy; authorizing licensed
8 pharmacist to compound certain nonsterile
9 preparations for specified individuals under certain
10 conditions; limiting amount in stock; authorizing
11 licensed pharmacist to dispense and ship certain
12 nonsterile preparations to specified individuals
13 under certain conditions; prohibiting certain
14 shipments; specifying applicability of section;
15 providing for codification; and providing an
16 effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 353.19A of Title 59, unless
20 there is created a duplication in numbering, reads as follows:

21 A. A licensed pharmacist may compound one or more nonsterile
22 preparations for office use by a licensed practitioner pursuant to a
23 valid order or orders by the licensed practitioner. This subsection
24 shall apply to a preparation containing either prescription or
25 nonprescription ingredients, or both.

26 B. 1. A licensed pharmacist may compound one or more non-
27 sterile preparations consisting only of nonprescription ingredients

1 for over-the-counter use by one or more customers or anticipated
2 customers. Such preparations shall not require a prescription.

3 2. The amount in stock at any given time of each preparation
4 for over-the-counter use shall not exceed what the pharmacist
5 reasonably believes would be necessary to fill two weeks' worth of
6 orders.

7 3. A licensed pharmacist may dispense or ship one or more non-
8 sterile preparations for over-the-counter use to a customer if:

9 a. the preparation was compounded in compliance with
10 paragraph 1 of this subsection, and

11 b. the pharmacist deems the preparation to be appropriate
12 for the customer.

13 4. A pharmacist shall not ship any preparations for over-the-
14 counter use out of this state. No more than ten percent (10%) of
15 the volume of any one preparation shall be shipped to a customer or
16 customers outside of a fifty-mile radius of the pharmacy.

17 C. In the event the manufacture, sale and consumption of
18 products containing marijuana or tetrahydrocannabinol becomes legal
19 under federal law, a licensed pharmacist may compound one or more
20 nonsterile preparations containing such ingredients, to the extent
21 allowed under federal law, for one or more customers or anticipated
22 customers. The pharmacist shall only dispense such preparations to
23 one or more customers currently licensed as patients by the Oklahoma
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1 Medical Marijuana Authority and shall verify each license prior to
2 purchase.

3 D. This section shall apply to any pharmacist who owns, is
4 employed by or is under contract with any pharmacy licensed by the
5 State Board of Pharmacy and located in this state. This section
6 shall not be construed to apply only to certain types of pharmacies
7 including, but not limited to, a compounding pharmacy.

8 SECTION 2. This act shall become effective November 1, 2021.

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