

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

166U0010

SENATE BILL NO. 160

Introduced by: Senators Jensen, Begalka, Lederman, Maher, Monroe, and Rampelberg and Representatives Campbell, Bolin, Craig, Greenfield, Haggar (Don), Hickey, Kaiser, Kopp, Magstadt, May, Nelson, Olson (Betty), Rasmussen, Stalzer, Steele, and Tulson

1 FOR AN ACT ENTITLED, An Act to require health care facilities to allow patients to supply
2 their own prescription medications.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 34-12 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 A patient receiving care at a hospital or other health care facility licensed by the state of
7 South Dakota has a right to receive all medication lawfully prescribed to the patient as long as
8 the prescription is ordered or approved by the attending physician.

9 Section 2. That chapter 34-12 be amended by adding thereto a NEW SECTION to read as
10 follows:

11 If a hospital or health care facility cannot provide the medication ordered or approved by the
12 attending physician in accordance with the prescription, the patient has a right to supply and self-
13 administer the medication. A hospital or health care facility may establish verification,
14 inspection, and storage procedures for prescription medication supplied by the patient to ensure



- 1 the health and safety of all patients as long as the procedure does not interfere with a patient's
- 2 right to receive a lawfully prescribed medication.