

24:21-17

10/9/86

LEGISLATIVE HISTORY CHECKLIST

NJSA: 24:21-17, 24:21-51 (Prescription drugs--labels--eliminate certain requirements)

LAWS OF: 1986

CHAPTER 75

BILL NO: S1979

Sponsor(s): McManimon

Date Introduced: March 24, 1986

Committee: Assembly: -----

Senate: Institutions, Health and Welfare

Amended during passage: No

Date of Passage: Assembly: June 26, 1986

Senate: June 12, 1986

Date of Approval: August 5, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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SENATE, No. 1979  
**STATE OF NEW JERSEY**

INTRODUCED MARCH 24, 1986

By Senator McMANIMON

Referred to Committee on Institutions, Health and Welfare

AN ACT concerning controlled dangerous substances and instruments used in connection with them, and amending P. L. 1970, c. 226 and P. L. 1980, c. 133.

1 BE IT ENACTED by the Senate and General Assembly of the State  
2 of New Jersey:

1 Section 17 of P. L. 1970, c. 226 (C. 24:21-17) is amended to read  
2 as follows:

3 17. Form of label to be used by pharmacists; altering or removing  
4 label. Whenever a pharmacist sells or dispenses any controlled  
5 dangerous substance on a prescription issued by a practitioner he  
6 shall affix to the container in which such drug is sold or dispensed,  
7 a label showing his own name, address, and registry number, or the  
8 name, address, and registry number of the pharmacist or pharmacy  
9 owner for whom he is lawfully acting; the name [and address] of  
10 the patient or, if the patient is an animal, the name [and address]  
11 of the owner of the animal and the species of the animal; the name,  
12 address and registry number] of the [practioner] practitioner by  
13 whom the prescription was [written] issued; the brand name or  
14 generic name of the drug dispensed unless the prescriber states  
15 otherwise on the prescription, such directions as may be stated on  
16 the prescription and such directions as may be required by rules or  
17 regulations promulgated by the commissioner.

18 No person shall alter, deface, or remove any label so affixed as  
19 long as any of the original contents remain.

1 2. Section 6 of P. L. 1980, c. 133 (C. 24:21-51) is amended to  
2 read as follows:

3 6. a. No person shall sell, furnish, or give to any person or per-  
4 sons other than a duly licensed physician, dentist, veterinarian,  
5 undertaker, nurse, podiatrist, registered pharmacist, or a hospital,

**EXPLANATION**—Matter enclosed in bold-faced brackets [italics] in the above bill  
is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

6 sanitarium, clinical laboratory or any other medical institution, or a  
7 State or governmental agency, or a regular dealer in medical,  
8 dental or surgical supplies, or a resident physician or intern of a  
9 hospital, sanitarium or other medical institution, an instrument  
10 commonly known as a hypodermic syringe, hypodermic needle or  
11 any instrument adapted for the use of controlled dangerous sub-  
12 stances as defined in P. L. 1970, c. 226 (C. 24:21-1 et seq.) by  
13 subcutaneous injections without a [written] prescription of a duly  
14 licensed physician, dentist or veterinarian. Such prescription shall  
15 contain the name [and address] and address of the patient, the  
16 description of the instrument prescribed and the number of instru-  
16A ments prescribed.

17 b. Every person who disposes of, or sells, or furnishes, or gives  
18 away a hypodermic syringe or a hypodermic needle or an in-  
19 strument adapted for the use of controlled dangerous substances  
20 by subcutaneous injections, upon the [written] prescription of a  
21 duly licensed physician, dentist, or veterinarian, shall record [upon  
22 the face of the prescription, over his signature,] the date of the sale  
23 or furnishing of the instrument. This prescription shall be retained  
24 on file for a period of two years and shall be opened to inspection by  
25 any public officer or employee engaged in the enforcement of this  
26 section. A prescription filed in accordance with this section shall  
27 be sufficient authority, without the necessity of a renewal or reissu-  
28 ance, to permit subsequent sales or the furnishing of hypodermic  
29 syringes or hypodermic needles or instruments adapted for the  
30 use of controlled dangerous substances by subcutaneous injections  
31 to the person to whom the prescription was issued, for a period of  
32 six months from the date of its original issuance.

33 c. It shall be unlawful for any person or persons, except a duly  
34 licensed physician, dentist, veterinarian, nurse, podiatrist, hospital,  
35 sanitarium or other medical institution, or a resident physician  
36 or intern of a hospital, sanitarium or other medical institution,  
37 to have under control or possess, a hypodermic syringe, hypodermic  
38 needle or any other instrument adapted for the use of controlled  
39 dangerous substances by subcutaneous injections with intent to  
40 use such syringe, needle or instrument for such purpose, unless  
41 such possession be obtained upon a valid [written] prescription  
42 form, and such use be authorized or directed by a duly licensed  
43 physician or veterinarian. For the purposes of this subdivision no  
44 such prescription shall be valid, which has been outstanding for  
45 more than six months.

46 d. Any person who violates this section is guilty of a disorderly  
47 persons offense.

1 3. This act shall take effect on the 90th day after enactment

**STATEMENT**

This bill amends the laws regulating controlled dangerous substances by eliminating the requirement that the patient's address and the prescriber's address and registry number be included on the prescription label.

The bill also eliminates the requirement that a written prescription be issued for hypodermic instruments since many of these prescriptions are ordered telephonically and are reduced to writing by the pharmacist.

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**ALCOHOL, DRUG ABUSE AND DRUGS**

Eliminates the requirement that the patient's address and the prescriber's address and registry number be included on the prescription label.

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51979 (1986)

SENATE INSTITUTIONS, HEALTH AND WELFARE  
COMMITTEE

STATEMENT TO

**SENATE, No. 1979**

**STATE OF NEW JERSEY**

DATED: MAY 12, 1986

The Senate Institutions, Health and Welfare Committee favorably reports Senate Bill No. 1979.

This bill amends the laws governing controlled dangerous substances to eliminate the requirement that the patient's address and the prescriber's address and registry number be included on the prescription label. The bill also eliminates the requirement that a written prescription be issued for hypodermic syringes or needles to permit these prescriptions to be prescribed over the telephone and then transcribed onto a prescription form by the pharmacist.