

45:14-57.1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2016 **CHAPTER:** 42

NJSA: 45:14-57.1 (Permits abandoned prescription medication to be re-dispensed up to one year after original preparation.)

BILL NO: A3434 (Substituted for S2187)

SPONSOR(S) Greenwald and others

DATE INTRODUCED: March 7, 2016

COMMITTEE: **ASSEMBLY:** Health and Senior Services
SENATE: ---

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 27, 2016
SENATE: June 27, 2016

DATE OF APPROVAL: August 31, 2016

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Third Reprint enacted)

A3434

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: Yes
	SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	Yes	June 16, 2016
		June 27, 2016
LEGISLATIVE FISCAL ESTIMATE:	No	

S2187

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: No
	SENATE: Yes

FLOOR AMENDMENT STATEMENT:	Yes
LEGISLATIVE FISCAL ESTIMATE:	No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH/CL

P.L.2016, CHAPTER 42, *approved August 31, 2016*
Assembly, No. 3434 (*Third Reprint*)

1 AN ACT concerning prescription medications and supplementing
2 Title 45 of the Revised Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. ³a.³ In the event that a pharmacy prepares a prescription
8 medication that is abandoned by a patient, or a long-term care
9 pharmacy does not dispense a prescription medication to a patient in a
10 long-term care facility, the medication ³**[shall be held for re-**
11 **dispensing and used as soon as possible]** may be re-dispensed by the
12 pharmacy in a manner consistent with regulations promulgated by the
13 Board of Pharmacy, provided that the medication was maintained
14 under proper storage conditions to ensure its integrity, and has
15 remained under the exclusive control and custody of the pharmacy and
16 the patient's long-term care facility at all times³. The medication shall
17 not be ³**[²**[dispensed] re-dispensed²]** dispensed³ to patients later than
18 one year from the date the medication was originally prepared for
19 dispensing. ³**[²**In order to be re-dispensed, the medication must remain****
20 in the constant control of the pharmacy, under storage conditions
21 consistent with proper maintenance of the medication's integrity.²³ A
22 re-dispensed medication shall be marked with the same use-by date
23 found on the medication when it was originally prepared for
24 dispensing. ¹Nothing in this section shall be construed to modify
25 dispensing requirements and practices related to a prescription drug
26 that can only be dispensed to a patient registered with the
27 manufacturer of that drug, in accordance with requirements established
28 by the federal Food and Drug Administration.¹**

29 ³**[²**For the purposes of this section, "abandoned" shall mean not****
30 **dispensed to or picked up by a patient within two weeks.**²**]**

31 b. For purposes of this section, a prescription medication shall be
32 considered to be abandoned when a prescription is prepared and made
33 available for dispensing by the pharmacy but is not dispensed to the
34 patient for whom it was prepared within two weeks.³

35
36 2. This act shall take effect immediately.

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

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHE committee amendments adopted June 2, 2016.

²Assembly floor amendments adopted June 16, 2016.

³Senate floor amendments adopted June 27, 2016.

1

2

3

4

Permits abandoned prescription medication to be re-dispensed up
to one year after original preparation.

ASSEMBLY, No. 3434

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED MARCH 7, 2016

Sponsored by:
Assemblyman LOUIS D. GREENWALD
District 6 (Burlington and Camden)

SYNOPSIS

Permits abandoned prescription medication to be re-dispensed up to one year after original preparation.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning prescription medications and supplementing
2 Title 45 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. In the event that a pharmacy prepares a prescription
8 medication that is abandoned by a patient, or a long-term care
9 pharmacy does not dispense a prescription medication to a patient
10 in a long-term care facility, the medication shall be held for re-
11 dispensing and used as soon as possible. The medication shall not
12 be dispensed to patients later than one year from the date the
13 medication was originally prepared for dispensing. A re-dispensed
14 medication shall be marked with the same use-by date found on the
15 medication when it was originally prepared for dispensing.

16

17 2. This act shall take effect immediately.

18

19

20

STATEMENT

21

22 This bill would provide that, in the event that a pharmacy
23 prepares a prescription medication that is abandoned by a patient, or
24 a long-term care pharmacy does not dispense a prescription
25 medication to a patient in a long-term care facility, the medication
26 would be held for re-dispensing and used as soon as possible. The
27 medication would not be dispensed to patients later than one year
28 from the date the medication was originally prepared for
29 dispensing. A re-dispensed medication would be marked with the
30 same use-by date found on the medication when it was originally
31 prepared for dispensing.

32

33 This bill would revise a practice currently governed by
34 N.J.A.C.13:39-7.16, which provides that a medication held for re-
35 dispensing shall not be dispensed to patients later than six months
36 from the date the medication was originally prepared for
37 dispensing. It is the sponsor's opinion that an extension to one year
will cut costs for pharmacies but still maintain safety for patients.

ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3434

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 2, 2016

The Assembly Health and Senior Services Committee reports favorably and with committee amendments Assembly Bill No. 3434.

As amended by the committee, this bill provides that, in the event that a pharmacy prepares a prescription medication that is abandoned by a patient, or a long-term care pharmacy does not dispense a prescription medication to a patient in a long-term care facility, the medication will be held for re-dispensing and used as soon as possible. The medication will not be dispensed to patients later than one year from the date the medication was originally prepared for dispensing. A re-dispensed medication would be marked with the same use-by date indicated on the medication when it was originally prepared for dispensing. The committee amendments provide that nothing in the bill is to be construed to modify dispensing requirements and practices related to a prescription drug that can only be dispensed to a patient registered with the manufacturer of that drug, in accordance with requirements established by the federal Food and Drug Administration.

This bill revises a practice currently governed by N.J.A.C.13:39-7.16, which provides that a medication held for re-dispensing is not to be dispensed to patients later than six months from the date the medication was originally prepared for dispensing.

COMMITTEE AMENDMENTS:

The committee amended the bill to include a provision specifying that nothing in the bill is to be construed to modify dispensing requirements and practices related to a prescription drug that can only be dispensed to a patient registered with the manufacturer, in accordance with requirements established by the federal Food and Drug Administration.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 3434

with Assembly Floor Amendments
(Proposed by Assemblyman GREENWALD)

ADOPTED: JUNE 16, 2016

These amendments provide that, in order for an abandoned prescription medication to be re-dispensed, the medication must remain in the constant control of the pharmacy, under storage conditions consistent with proper maintenance of the medication's integrity. The amendments also define "abandoned" to mean not dispensed to or picked up by a patient within two weeks.

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 3434

with Senate Floor Amendments
(Proposed by Senator GILL)

ADOPTED: JUNE 27, 2016

These amendments change the language of the bill to conform to the language of Senate, No. 2187 [2R], including the provision that a prescription medication that is dispensed to a long-term care facility may be returned to the dispensing pharmacy and re-dispensed, as is authorized under current regulations.

SENATE, No. 2187

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED MAY 16, 2016

Sponsored by:
Senator NIA H. GILL
District 34 (Essex and Passaic)

SYNOPSIS

Permits abandoned prescription medication to be re-dispensed up to one year after original preparation.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning prescription medications and supplementing
2 Title 45 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. In the event that a pharmacy prepares a prescription
8 medication that is abandoned by a patient, or a long-term care
9 pharmacy does not dispense a prescription medication to a patient
10 in a long-term care facility, the medication shall be held for re-
11 dispensing and used as soon as possible. The medication shall not
12 be dispensed to patients later than one year from the date the
13 medication was originally prepared for dispensing. A re-dispensed
14 medication shall be marked with the same use-by date found on the
15 medication when it was originally prepared for dispensing.

16

17 2. This act shall take effect immediately.

18

19

20

STATEMENT

21

22 This bill would provide that, in the event that a pharmacy
23 prepares a prescription medication that is abandoned by a patient, or
24 a long-term care pharmacy does not dispense a prescription
25 medication to a patient in a long-term care facility, the medication
26 would be held for re-dispensing and used as soon as possible. The
27 medication would not be dispensed to patients later than one year
28 from the date the medication was originally prepared for
29 dispensing. A re-dispensed medication would be marked with the
30 same use-by date found on the medication when it was originally
31 prepared for dispensing.

32

33 This bill would revise a practice currently governed by
34 N.J.A.C.13:39-7.16, which provides that a medication held for re-
35 dispensing shall not be dispensed to patients later than six months
36 from the date the medication was originally prepared for
37 dispensing. It is the sponsor's opinion that an extension to one year
will cut costs for pharmacies but still maintain safety for patients.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2187

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 16, 2016

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2187.

As amended by the committee, this bill would provide that, in the event that a pharmacy prepares a prescription medication that is abandoned by a patient, or a long-term care pharmacy does not dispense a prescription medication to a patient in a long-term care facility, the medication may be re-dispensed by the pharmacy in a manner consistent with regulations promulgated by the Board of Pharmacy, provided that the medication was maintained under proper storage conditions to ensure its integrity, and has remained under the exclusive control and custody of the pharmacy at all times. The medication would not be dispensed to patients later than one year from the date the medication was originally prepared for dispensing. A re-dispensed medication would be marked with the same use-by date found on the medication when it was originally prepared for dispensing. Nothing in the bill would be construed to modify dispensing requirements and practices related to a prescription drug that can only be dispensed to a patient registered with the manufacturer of that drug, in accordance with requirements established by the federal Food and Drug Administration.

The bill would specify that a prescription medication will be considered to be abandoned when a prescription is prepared and made available for dispensing by the pharmacy but is not dispensed to the patient for whom it was prepared within two weeks.

This bill would revise a practice currently governed by N.J.A.C.13:39-7.16, which provides that a medication held for re-dispensing shall not be dispensed to patients later than six months from the date the medication was originally prepared for dispensing.

The committee amended the bill to:

- specify that an abandoned prescription medication may be re-dispensed by the pharmacy in a manner consistent with regulations promulgated by the Board of Pharmacy, provided that the medication was maintained under proper storage conditions to ensure its integrity,

and has remained under the exclusive control and custody of the pharmacy at all times;

- specify that nothing in the bill is to be construed to modify dispensing requirements and practices related to a prescription drug that can only be dispensed to a patient registered with the manufacturer of that drug, in accordance with requirements established by the federal Food and Drug Administration; and

- specify the circumstances under which a prescription medication will be deemed to be abandoned.

STATEMENT TO
[First Reprint]
SENATE, No. 2187

with Senate Floor Amendments
(Proposed by Senator GILL)

ADOPTED: JUNE 23, 2016

These amendments would clarify that a prescription medication that is dispensed to a long-term care facility may be returned to the dispensing pharmacy and re-dispensed, as is authorized under current regulations.

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Governor Chris Christie Signs Legislation Codifying Sterile Syringe Access Program

Wednesday, August 31, 2016

Tags: [Addiction Taskforce](#)

Takes Action On Other Pending Legislation

Trenton, NJ - Governor Chris Christie today signed legislation allowing any municipality to operate a Syringe Access Program (SAP), while directing the state Health Commissioner to invest \$200,000 for syringes and supplies for the five existing pilot programs. The increased funding will provide more than a year's worth of needed syringes and supplies to the existing programs in Atlantic City, Camden, Jersey City and Newark and Paterson. The Governor line item vetoed \$95,000 the Legislature originally proposed in the Fiscal Year 2017 budget because it was insufficient to meet the needs of these programs.

"Individuals struggling with the disease of addiction are more likely to seek treatment if they participate in a Syringe Access Program," said Governor Christie. "These are programs that provide life-saving access to an array of vital services including testing, counseling and education as well as preventing the transmission of blood-borne diseases such as HIV and Hepatitis."

SAPs have served nearly 22,000 individuals and each year distribute more than one million sterile syringes. In addition, the use of Naloxone (commonly known as "Narcan") by these programs has saved over 40 lives.

The Governor also took the following action on other pending legislation:

BILL SIGNINGS:

S-20/A-20 (Sweeney, Beck/Downey, Houghtaling, Chiaravalloti, Wisniewski, Greenwald) – w/STATEMENT - Prohibits person whose driver's license is suspended for DWI from operating NJT train

S-166/A-3901 (Bateman, Doherty/Singleton, Zwicker, DiMaio) - Establishes Hunterdon-Somerset Flood Advisory Task Force

S-1155/A-2696 (Diegnan/Johnson) - Regulates autocycles as motorcycles

S-1266/ACS for A-415 (Vitale, Gill/Eustace, Gusciora, Quijano) – w/STATEMENT - Establishes permanent sterile syringe access program

S-1880/A-1419 (Turner/Johnson, Wimberly, Pinkin, Bramnick, Mukherji) - Imposes certain requirements on telephone service contracts for inmates in certain correctional facilities

SJR-68/AJR-110 (Sweeney, Ruiz/Quijano, Mazzeo, Caride, Vainieri Huttie) - Urges Congress to ask US DOE and US DOL to modify regulations regarding Workforce Innovation and Opportunity Act to protect individuals with disabilities

A-1794/S-1826 (Burzichelli, Singleton, Mukherji/Oroho) - Concerns calculation of net premiums on certain life insurance policies for purposes of certain DOBI assessments

A-1934/S-1307 (Coughlin, Johnson, Andrzejczak, Rumana, Wimberly/Vitale, Cruz-Perez) - Exempts veterans' organizations from nonprofit corporation annual report filing fee

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Governor's Statement Upon Signing Senate Bill No. 1266 (Second Reprint) [pdf 23kB]

Governor's Statement Upon Signing Senate Bill No. 20 [pdf 20kB]

A-2224/S-1002 (Peterson, Sumter, DiMaio, Benson/Holzapfel, Greenstein) - Establishes "Secondhand Valuables Transaction Reporting Task Force"

A-2789/S-1835 (Greenwald, Burzichelli, DeAngelo, Mukherji/Whelan, Bateman) - Allows use of rear view backup camera and parking sensors during road test

A-3434/S-2187 (Greenwald, Eustace/Gill) - Permits abandoned prescription medication to be re-dispensed up to one year after original preparation

A-3540/S-2310 (Holley, Schaer, Kennedy/Diegnan, Oroho) - Provides that certain corporations bidding for public contracts may submit federal Securities and Exchange Commission filings to comply with requirement to disclose certain interest holders; requires submission by limited liability companies

A-3682/S-2080 (Kennedy, Bramnick, Holley, Rible/Scutari) - Permits animal facilities to use artificial turf in outdoor enclosures

AJR-46/SJR-57 (Schaer, Eustace, Benson, Johnson, Pinkin/Singer, Gordon) - Creates the "New Jersey Biotechnology Task Force"

AJR-103/SJR-70 (Houghtaling, Downey, Mukherji/Madden, O'Toole) - Designates November of each year as "Pancreatic Cancer Awareness Month"

BILLS VETOED:

S-972/A-1788 (Sweeney, O'Toole, Ruiz/Burzichelli, Giblin, Pintor Marin) –**CONDITIONAL** - Establishes Child Advocacy Center-Multidisciplinary Team Advisory Board and certification program for child advocacy centers and multidisciplinary teams; appropriates \$10 million

S-2361/A-3951 (Weinberg, Sarlo, Gordon/Vainieri Huttie, Lagana, Eustace, Caride, Mukherji, Schepisi) –**CONDITIONAL** - Authorizes certain county to establish county hospital authority; amends title of "Municipal Hospital Authority Law"

A-1877/S-1129 (Wimberly, Sumter, Jasey, Johnson/Rice, Ruiz) – **CONDITIONAL** - "Healthy Small Food Retailer Act"; provides funding to small food retailers to sell fresh and nutritious food

A-2576/S-1080 (Gusciora, Muoio, Caputo, Mukherji, Chiaravalloti, Houghtaling, Pintor Marin/Turner) –**CONDITIONAL** - Extends duration of urban enterprise zones for 10 additional years; specifies permissible use of funds

A-3744/S-2330 (McKeon, Vainieri Huttie, Caputo, Jasey, Downey/Codey, Vitale) – **CONDITIONAL** - Establishes law enforcement assisted addiction and recovery programs

###

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