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**REPORTS:**

No

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No

**NEWSPAPER ARTICLES:**

Yes

Livio, Susan K. and Brent Johnson. "Gov. signs laws to fight opioid addiction." South JerseyTimes (NJ), July 4, 2021: 003.

RH/CL

P.L. 2021, CHAPTER 155, *approved July 2, 2021*  
 Assembly, No. 5595

1 AN ACT concerning opioid antidotes and amending P.L.2006, c.84.

2

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

5

6 1. Section 1 of P.L.2006, c.84 (C.45:14-81) is amended to read  
 7 as follows:

8 1. a. There is established the "New Jersey Prescription Drug  
 9 Retail Price Registry" in the Division of Consumer Affairs in the  
 10 Department of Law and Public Safety for the purpose of making  
 11 retail price information for the 150 most frequently prescribed  
 12 prescription drugs in the State and opioid antidotes readily available  
 13 to consumers.

14 (1) For the purpose of establishing the registry, the Director of  
 15 the Division of Consumer Affairs, in consultation with the  
 16 Commissioners of Human Services and Health and Senior  
 17 Services, shall obtain drug retail price information for these  
 18 prescription drugs, which indicates the actual price to be paid to a  
 19 pharmacy by a retail purchaser for a listed drug at the listed dosage,  
 20 from data collected by the Division of Medical Assistance and  
 21 Health Services in the Department of Human Services or other  
 22 available sources that includes the charge for the cost of the  
 23 medication and the dispensing fee, and does not exceed the usual  
 24 and customary or posted or advertised charge by the pharmacy. The  
 25 establishment of the registry shall be subject to any federal approval  
 26 that may be required to effectuate the purposes of this act and shall  
 27 conform with any requirements of State or federal law regarding the  
 28 confidentiality and use of the information contained therein.

29 (2) The registry shall include the information obtained by the  
 30 director pursuant to paragraph (1) of this subsection, and shall be  
 31 updated by the division at least weekly to reflect the most current  
 32 information obtained by the director.

33 (3) The registry shall be organized by the director in a format  
 34 that is conducive to review and comparison by consumers of  
 35 prescription drug retail prices charged by pharmacies in each zip  
 36 code within the State, and shall include the name and address of  
 37 each pharmacy.

38 b. The division shall make available electronically on its  
 39 Internet website in English and Spanish the information contained  
 40 in the registry, and shall provide the information to consumers upon

**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.

1 request by means of a toll-free telephone service operated by the  
2 division.

3 The information made available on the Internet website shall:

4 (1) be organized to meet the requirements of paragraph (3) of  
5 subsection a. of this section and be designed so that the consumer  
6 may download and print the displayed information;

7 (2) include Internet web links to other governmental information  
8 resources that provide information relating to the regulation of  
9 prescription drugs and State and federal health care coverage and  
10 pharmaceutical assistance programs;

11 (3) include an advisory statement by the division alerting  
12 consumers of the need to tell their health care practitioner and  
13 pharmacist about all the medications they may be taking and to ask  
14 them how to avoid harmful interactions between those drugs, if any;  
15 and

16 (4) contain clearly understandable language that is designed to  
17 assist consumers in understanding the content of, and how to  
18 access, the information made available on the website pursuant to  
19 this section.

20 c. The director may require each pharmacy practice site in the  
21 State to furnish to the director such information as the director  
22 deems necessary to effectuate the provisions of this section.

23 d. The division may contract with a public or private entity for  
24 the purpose of developing, administering, and maintaining the  
25 registry established pursuant to this section. The contract shall  
26 specify the duties and responsibilities of the entity with respect to  
27 the development, administration, and maintenance of the registry.  
28 The division shall monitor the work of the entity to ensure that the  
29 registry is developed, administered, and maintained pursuant to the  
30 requirements of this act.

31 (cf: P.L.2006, c.84, s.1)

32

33 2. Section 2 of P.L.2006, c.84 (C.45:14-82) is amended to read  
34 as follows:

35 2. a. The Director of the Division of Consumer Affairs shall  
36 prepare at least annually, and shall make available to each  
37 pharmacy practice site in the State without charge, a list of the 150  
38 most frequently prescribed prescription drugs that includes the  
39 usual dosages prescribed for each drug and a list of opioid  
40 antidotes.

41 b. Each pharmacy practice site in the State shall maintain a  
42 prescription drug retail price list, which contains the names of the  
43 drugs, including opioid antidotes, on the list provided by the  
44 division pursuant to subsection a. of this section and the retail price  
45 for each drug on the list charged at that pharmacy practice site,  
46 including the date of the update of the retail price list, and shall  
47 make the prescription drug retail price list available to customers  
48 upon request.

1 (1) The prescription drug retail price list shall include an  
2 advisory statement prepared by the division alerting consumers of  
3 the need to tell their health care practitioner and pharmacist about  
4 all the medications that they may be taking and to ask them how to  
5 avoid harmful interactions between those drugs, if any.

6 (2) The pharmacy practice site shall post a sign that notifies  
7 customers of the availability of the drug retail price list in a  
8 conspicuous location that is: at or adjacent to the place where  
9 prescriptions are presented for compounding and dispensing; in the  
10 waiting area for customers; or in the area where prescribed drugs  
11 are delivered.

12 c. The provisions of this section shall not be construed to  
13 prevent a pharmacy practice site from changing or charging the  
14 current retail price at any time, provided that the listed price is  
15 updated at least weekly to reflect the new retail price.

16 d. As used in this act, “opioid antidote” means any drug,  
17 regardless of dosage amount or method of administration, which has  
18 been approved by the United States Food and Drug Administration  
19 for the treatment of an opioid overdose, and shall include, but not  
20 be limited to, naloxone hydrochloride in any dosage amount, which  
21 is administered through nasal spray or any other means or methods  
22 approved by the United States Food and Drug Administration.

23 (cf: P.L.2006, c.84, s.1)

24  
25 3. This act shall take effect immediately.

## 26 27 28 STATEMENT

29  
30 This bill makes the retail price of opioid antidotes readily  
31 available to consumers by including this information in the “New  
32 Jersey Prescription Drug Retail Price Registry” (NJPDRPR).

33 The NJPDRPR was established for the purpose of making up-to-  
34 date retail price information for the 150 most frequently prescribed  
35 prescription drugs in the State readily available to consumers. It  
36 requires the Director of the Division of Consumer Affairs, in  
37 consultation with the Commissioners of Human Services and Health  
38 and Senior Services, to obtain retail price information for certain  
39 prescription drugs, which indicates the actual price to be paid to the  
40 pharmacy by a retail purchaser, and to make that information  
41 available on the internet and by means of a toll-free telephone  
42 service. The registry is organized in a format to allow consumers to  
43 compare prescription drug retail prices charged by pharmacies in  
44 each zip code within the State.

45 This bill includes opioid antidotes on the list of frequently  
46 prescribed prescription drugs.

47 Under current law, the Director of the Division of Consumer  
48 Affairs is required to annually make available to each pharmacy

1 practice site in this State a list of the 150 most frequently prescribed  
2 prescription drugs. In addition, each pharmacy is required to  
3 maintain a prescription drug retail price list, which includes the  
4 names of the drugs included on the NJPDRPR, the retail price for  
5 each drug on the list provided by the Division of Consumer Affairs,  
6 and the retail price for each drug on the list charged at that  
7 pharmacy practice site. The pharmacy is required to post a sign  
8 notifying customers of the availability of the prescription drug retail  
9 price list and to make the list available to customers upon request.

10 This bill includes opioid antidotes on the list of prescription  
11 drugs provided to pharmacies and requires pharmacies to include  
12 opioid antidotes on its prescription drug retail price list available to  
13 customers.

14 Under the bill, “opioid antidotes” is defined as any drug,  
15 regardless of dosage amount or method of administration, which has  
16 been approved by the United States Food and Drug Administration  
17 (FDA) for the treatment of an opioid overdose, and includes  
18 naloxone hydrochloride, commonly known as Narcan.

19

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21

22

23 \_\_\_\_\_  
24 Requires Division of Consumer Affairs to publish retail price of  
certain opioid antidotes.

## CHAPTER 155

AN ACT concerning opioid antidotes and amending P.L.2006, c.84.

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

1. Section 1 of P.L.2006, c.84 (C.45:14-81) is amended to read as follows:

C.45:14-81 "New Jersey Prescription Drug Retail Price Registry."

1. a. There is established the "New Jersey Prescription Drug Retail Price Registry" in the Division of Consumer Affairs in the Department of Law and Public Safety for the purpose of making retail price information for the 150 most frequently prescribed prescription drugs in the State and opioid antidotes readily available to consumers.

(1) For the purpose of establishing the registry, the Director of the Division of Consumer Affairs, in consultation with the Commissioners of Human Services and Health and Senior Services, shall obtain drug retail price information for these prescription drugs, which indicates the actual price to be paid to a pharmacy by a retail purchaser for a listed drug at the listed dosage, from data collected by the Division of Medical Assistance and Health Services in the Department of Human Services or other available sources that includes the charge for the cost of the medication and the dispensing fee, and does not exceed the usual and customary or posted or advertised charge by the pharmacy. The establishment of the registry shall be subject to any federal approval that may be required to effectuate the purposes of this act and shall conform with any requirements of State or federal law regarding the confidentiality and use of the information contained therein.

(2) The registry shall include the information obtained by the director pursuant to paragraph (1) of this subsection, and shall be updated by the division at least weekly to reflect the most current information obtained by the director.

(3) The registry shall be organized by the director in a format that is conducive to review and comparison by consumers of prescription drug retail prices charged by pharmacies in each zip code within the State, and shall include the name and address of each pharmacy.

b. The division shall make available electronically on its Internet website in English and Spanish the information contained in the registry, and shall provide the information to consumers upon request by means of a toll-free telephone service operated by the division.

The information made available on the Internet website shall:

(1) be organized to meet the requirements of paragraph (3) of subsection a. of this section and be designed so that the consumer may download and print the displayed information;

(2) include Internet web links to other governmental information resources that provide information relating to the regulation of prescription drugs and State and federal health care coverage and pharmaceutical assistance programs;

(3) include an advisory statement by the division alerting consumers of the need to tell their health care practitioner and pharmacist about all the medications they may be taking and to ask them how to avoid harmful interactions between those drugs, if any; and

(4) contain clearly understandable language that is designed to assist consumers in understanding the content of, and how to access, the information made available on the website pursuant to this section.

c. The director may require each pharmacy practice site in the State to furnish to the director such information as the director deems necessary to effectuate the provisions of this section.

d. The division may contract with a public or private entity for the purpose of developing, administering, and maintaining the registry established pursuant to this section.

The contract shall specify the duties and responsibilities of the entity with respect to the development, administration, and maintenance of the registry. The division shall monitor the work of the entity to ensure that the registry is developed, administered, and maintained pursuant to the requirements of this act.

2. Section 2 of P.L.2006, c.84 (C.45:14-82) is amended to read as follows:

C.45:14-82 Annual list of 150 most frequently prescribed prescription drugs distributed to pharmacies; drug retail price list maintained by pharmacy.

2. a. The Director of the Division of Consumer Affairs shall prepare at least annually, and shall make available to each pharmacy practice site in the State without charge, a list of the 150 most frequently prescribed prescription drugs that includes the usual dosages prescribed for each drug and a list of opioid antidotes.

b. Each pharmacy practice site in the State shall maintain a prescription drug retail price list, which contains the names of the drugs, including opioid antidotes, on the list provided by the division pursuant to subsection a. of this section and the retail price for each drug on the list charged at that pharmacy practice site, including the date of the update of the retail price list, and shall make the prescription drug retail price list available to customers upon request.

(1) The prescription drug retail price list shall include an advisory statement prepared by the division alerting consumers of the need to tell their health care practitioner and pharmacist about all the medications that they may be taking and to ask them how to avoid harmful interactions between those drugs, if any.

(2) The pharmacy practice site shall post a sign that notifies customers of the availability of the drug retail price list in a conspicuous location that is: at or adjacent to the place where prescriptions are presented for compounding and dispensing; in the waiting area for customers; or in the area where prescribed drugs are delivered.

c. The provisions of this section shall not be construed to prevent a pharmacy practice site from changing or charging the current retail price at any time, provided that the listed price is updated at least weekly to reflect the new retail price.

d. As used in this act, "opioid antidote" means any drug, regardless of dosage amount or method of administration, which has been approved by the United States Food and Drug Administration for the treatment of an opioid overdose, and shall include, but not be limited to, naloxone hydrochloride in any dosage amount, which is administered through nasal spray or any other means or methods approved by the United States Food and Drug Administration.

3. This act shall take effect immediately.

Approved July 2, 2021.



# ASSEMBLY, No. 5595

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 12, 2021

**Sponsored by:**

**Assemblyman ANTHONY S. VERRELLI**

**District 15 (Hunterdon and Mercer)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblyman JAMEL C. HOLLEY**

**District 20 (Union)**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**Senator JOSEPH A. LAGANA**

**District 38 (Bergen and Passaic)**

**Co-Sponsored by:**

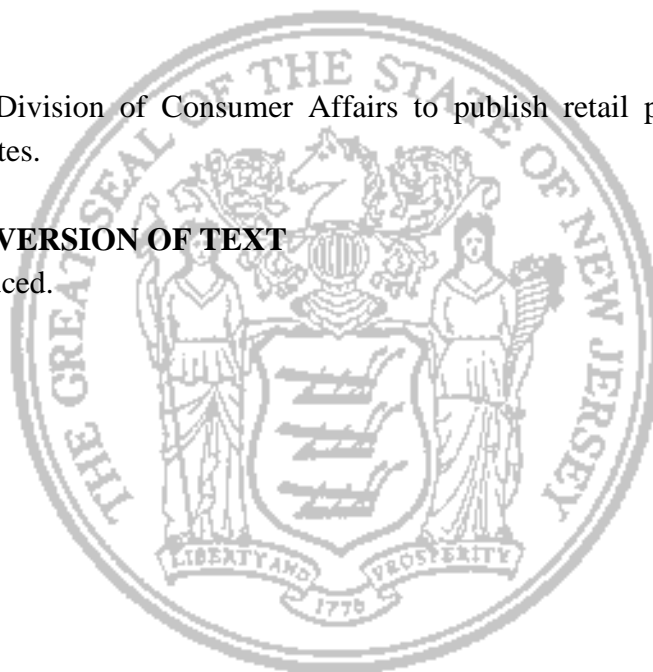
**Assemblywomen Vainieri Huttie, Jimenez, Assemblyman Mejia,  
Assemblywoman Downey, Assemblyman McKeon and Assemblywoman  
Murphy**

**SYNOPSIS**

Requires Division of Consumer Affairs to publish retail price of certain opioid antidotes.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/24/2021)

1 AN ACT concerning opioid antidotes and amending P.L.2006, c.84.

2

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

5

6 1. Section 1 of P.L.2006, c.84 (C.45:14-81) is amended to read  
7 as follows:

8 1. a. There is established the "New Jersey Prescription Drug  
9 Retail Price Registry" in the Division of Consumer Affairs in the  
10 Department of Law and Public Safety for the purpose of making  
11 retail price information for the 150 most frequently prescribed  
12 prescription drugs in the State and opioid antidotes readily available  
13 to consumers.

14 (1) For the purpose of establishing the registry, the Director of  
15 the Division of Consumer Affairs, in consultation with the  
16 Commissioners of Human Services and Health and Senior  
17 Services, shall obtain drug retail price information for these  
18 prescription drugs, which indicates the actual price to be paid to a  
19 pharmacy by a retail purchaser for a listed drug at the listed dosage,  
20 from data collected by the Division of Medical Assistance and  
21 Health Services in the Department of Human Services or other  
22 available sources that includes the charge for the cost of the  
23 medication and the dispensing fee, and does not exceed the usual  
24 and customary or posted or advertised charge by the pharmacy. The  
25 establishment of the registry shall be subject to any federal approval  
26 that may be required to effectuate the purposes of this act and shall  
27 conform with any requirements of State or federal law regarding the  
28 confidentiality and use of the information contained therein.

29 (2) The registry shall include the information obtained by the  
30 director pursuant to paragraph (1) of this subsection, and shall be  
31 updated by the division at least weekly to reflect the most current  
32 information obtained by the director.

33 (3) The registry shall be organized by the director in a format  
34 that is conducive to review and comparison by consumers of  
35 prescription drug retail prices charged by pharmacies in each zip  
36 code within the State, and shall include the name and address of  
37 each pharmacy.

38 b. The division shall make available electronically on its  
39 Internet website in English and Spanish the information contained  
40 in the registry, and shall provide the information to consumers upon  
41 request by means of a toll-free telephone service operated by the  
42 division.

43 The information made available on the Internet website shall:

44 (1) be organized to meet the requirements of paragraph (3) of

**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.

- 1 subsection a. of this section and be designed so that the consumer  
2 may download and print the displayed information;
- 3 (2) include Internet web links to other governmental information  
4 resources that provide information relating to the regulation of  
5 prescription drugs and State and federal health care coverage and  
6 pharmaceutical assistance programs;
- 7 (3) include an advisory statement by the division alerting  
8 consumers of the need to tell their health care practitioner and  
9 pharmacist about all the medications they may be taking and to ask  
10 them how to avoid harmful interactions between those drugs, if any;  
11 and
- 12 (4) contain clearly understandable language that is designed to  
13 assist consumers in understanding the content of, and how to  
14 access, the information made available on the website pursuant to  
15 this section.
- 16 c. The director may require each pharmacy practice site in the  
17 State to furnish to the director such information as the director  
18 deems necessary to effectuate the provisions of this section.
- 19 d. The division may contract with a public or private entity for  
20 the purpose of developing, administering, and maintaining the  
21 registry established pursuant to this section. The contract shall  
22 specify the duties and responsibilities of the entity with respect to  
23 the development, administration, and maintenance of the registry.  
24 The division shall monitor the work of the entity to ensure that the  
25 registry is developed, administered, and maintained pursuant to the  
26 requirements of this act.  
27 (cf: P.L.2006, c.84, s.1)  
28
- 29 2. Section 2 of P.L.2006, c.84 (C.45:14-82) is amended to read  
30 as follows:
- 31 2. a. The Director of the Division of Consumer Affairs shall  
32 prepare at least annually, and shall make available to each  
33 pharmacy practice site in the State without charge, a list of the 150  
34 most frequently prescribed prescription drugs that includes the  
35 usual dosages prescribed for each drug and a list of opioid  
36 antidotes.
- 37 b. Each pharmacy practice site in the State shall maintain a  
38 prescription drug retail price list, which contains the names of the  
39 drugs, including opioid antidotes, on the list provided by the  
40 division pursuant to subsection a. of this section and the retail price  
41 for each drug on the list charged at that pharmacy practice site,  
42 including the date of the update of the retail price list, and shall  
43 make the prescription drug retail price list available to customers  
44 upon request.
- 45 (1) The prescription drug retail price list shall include an  
46 advisory statement prepared by the division alerting consumers of  
47 the need to tell their health care practitioner and pharmacist about

1 all the medications that they may be taking and to ask them how to  
2 avoid harmful interactions between those drugs, if any.

3 (2) The pharmacy practice site shall post a sign that notifies  
4 customers of the availability of the drug retail price list in a  
5 conspicuous location that is: at or adjacent to the place where  
6 prescriptions are presented for compounding and dispensing; in the  
7 waiting area for customers; or in the area where prescribed drugs  
8 are delivered.

9 c. The provisions of this section shall not be construed to  
10 prevent a pharmacy practice site from changing or charging the  
11 current retail price at any time, provided that the listed price is  
12 updated at least weekly to reflect the new retail price.

13 d. As used in this act, "opioid antidote" means any drug,  
14 regardless of dosage amount or method of administration, which has  
15 been approved by the United States Food and Drug Administration  
16 for the treatment of an opioid overdose, and shall include, but not  
17 be limited to, naloxone hydrochloride in any dosage amount, which  
18 is administered through nasal spray or any other means or methods  
19 approved by the United States Food and Drug Administration.

20 (cf: P.L.2006, c.84, s.1)

21

22 3. This act shall take effect immediately.

23

24

25

#### STATEMENT

26

27 This bill makes the retail price of opioid antidotes readily  
28 available to consumers by including this information in the "New  
29 Jersey Prescription Drug Retail Price Registry" (NJPDRPR).

30 The NJPDRPR was established for the purpose of making up-to-  
31 date retail price information for the 150 most frequently prescribed  
32 prescription drugs in the State readily available to consumers. It  
33 requires the Director of the Division of Consumer Affairs, in  
34 consultation with the Commissioners of Human Services and Health  
35 and Senior Services, to obtain retail price information for certain  
36 prescription drugs, which indicates the actual price to be paid to the  
37 pharmacy by a retail purchaser, and to make that information  
38 available on the internet and by means of a toll-free telephone  
39 service. The registry is organized in a format to allow consumers to  
40 compare prescription drug retail prices charged by pharmacies in  
41 each zip code within the State.

42 This bill includes opioid antidotes on the list of frequently  
43 prescribed prescription drugs.

44 Under current law, the Director of the Division of Consumer  
45 Affairs is required to annually make available to each pharmacy  
46 practice site in this State a list of the 150 most frequently prescribed  
47 prescription drugs. In addition, each pharmacy is required to  
48 maintain a prescription drug retail price list, which includes the

1 names of the drugs included on the NJPDRPR, the retail price for  
2 each drug on the list provided by the Division of Consumer Affairs,  
3 and the retail price for each drug on the list charged at that  
4 pharmacy practice site. The pharmacy is required to post a sign  
5 notifying customers of the availability of the prescription drug retail  
6 price list and to make the list available to customers upon request.

7 This bill includes opioid antidotes on the list of prescription  
8 drugs provided to pharmacies and requires pharmacies to include  
9 opioid antidotes on its prescription drug retail price list available to  
10 customers.

11 Under the bill, "opioid antidotes" is defined as any drug,  
12 regardless of dosage amount or method of administration, which has  
13 been approved by the United States Food and Drug Administration  
14 (FDA) for the treatment of an opioid overdose, and includes  
15 naloxone hydrochloride, commonly known as Narcan.

# ASSEMBLY HEALTH COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 5595

# STATE OF NEW JERSEY

DATED: MAY 17, 2021

The Assembly Health Committee reports favorably Assembly Bill No. 5595.

This bill makes the retail price of opioid antidotes readily available to consumers by including this information in the “New Jersey Prescription Drug Retail Price Registry” (NJPDRPR).

The NJPDRPR was established for the purpose of making up-to-date retail price information for the 150 most frequently prescribed prescription drugs in the State readily available to consumers. It requires the Director of the Division of Consumer Affairs, in consultation with the Commissioners of Human Services and Health, to obtain retail price information for certain prescription drugs, which indicates the actual price to be paid to the pharmacy by a retail purchaser, and to make that information available on the internet and by means of a toll-free telephone service. The registry is organized in a format to allow consumers to compare prescription drug retail prices charged by pharmacies in each zip code within the State. This bill includes opioid antidotes on the list of frequently prescribed prescription drugs.

Under current law, the Director of the Division of Consumer Affairs is required to annually make available to each pharmacy practice site in this State a list of the 150 most frequently prescribed prescription drugs. In addition, each pharmacy is required to maintain a prescription drug retail price list, which includes the names of the drugs included on the NJPDRPR, the retail price for each drug on the list provided by the Division of Consumer Affairs, and the retail price for each drug on the list charged at that pharmacy practice site. The pharmacy is required to post a sign notifying customers of the availability of the prescription drug retail price list and to make the list available to customers upon request.

This bill includes opioid antidotes on the list of prescription drugs provided to pharmacies and requires pharmacies to include opioid antidotes on its prescription drug retail price list available to customers.

Under the bill, “opioid antidote” is defined as any drug, regardless of dosage amount or method of administration, which has been approved by the United States Food and Drug Administration (FDA) for the treatment of an opioid overdose, and includes naloxone hydrochloride, commonly known as Narcan.

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO  
ASSEMBLY, No. 5595

**STATE OF NEW JERSEY**

DATED: JUNE 10, 2021

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly Bill No. 5595.

This bill makes the retail price of opioid antidotes readily available to consumers by including this information in the “New Jersey Prescription Drug Retail Price Registry” (NJPDRPR).

The NJPDRPR was established for the purpose of making up-to-date retail price information for the 150 most frequently prescribed prescription drugs in the State readily available to consumers. It requires the Director of the Division of Consumer Affairs, in consultation with the Commissioners of Human Services and Health, to obtain retail price information for certain prescription drugs, which indicates the actual price to be paid to the pharmacy by a retail purchaser, and to make that information available on the internet and by means of a toll-free telephone service. The registry is organized in a format to allow consumers to compare prescription drug retail prices charged by pharmacies in each zip code within the State.

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Under current law, the Director of the Division of Consumer Affairs is required to annually make available to each pharmacy practice site in this State a list of the 150 most frequently prescribed prescription drugs. In addition, each pharmacy is required to maintain a prescription drug retail price list, which includes the names of the drugs included on the NJPDRPR, the retail price for each drug on the list provided by the Division of Consumer Affairs, and the retail price for each drug on the list charged at that pharmacy practice site. The pharmacy is required to post a sign notifying customers of the availability of the prescription drug retail price list and to make the list available to customers upon request.

This bill includes opioid antidotes on the list of prescription drugs provided to pharmacies and requires pharmacies to include opioid antidotes on its prescription drug retail price list available to customers.

Under the bill, “opioid antidote” is defined as any drug, regardless of dosage amount or method of administration, which has been approved by the United States Food and Drug Administration (FDA)

for the treatment of an opioid overdose, and includes naloxone hydrochloride, commonly known as Narcan.

As reported by the committee, Assembly Bill No. 5595 is identical to Senate Bill No. 3802, which was also reported by the committee on this date.



# SENATE, No. 3802

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 20, 2021

**Sponsored by:**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**Senator JOSEPH A. LAGANA**

**District 38 (Bergen and Passaic)**

**SYNOPSIS**

Requires Division of Consumer Affairs to publish retail price of certain opioid antidotes.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/1/2021)

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21 Health Services in the Department of Human Services or other  
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23 medication and the dispensing fee, and does not exceed the usual  
24 and customary or posted or advertised charge by the pharmacy. The  
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38 b. The division shall make available electronically on its  
39 Internet website in English and Spanish the information contained  
40 in the registry, and shall provide the information to consumers upon  
41 request by means of a toll-free telephone service operated by the  
42 division.

43 The information made available on the Internet website shall:

44 (1) be organized to meet the requirements of paragraph (3) of

**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.**

1 subsection a. of this section and be designed so that the consumer  
2 may download and print the displayed information;

3 (2) include Internet web links to other governmental information  
4 resources that provide information relating to the regulation of  
5 prescription drugs and State and federal health care coverage and  
6 pharmaceutical assistance programs;

7 (3) include an advisory statement by the division alerting  
8 consumers of the need to tell their health care practitioner and  
9 pharmacist about all the medications they may be taking and to ask  
10 them how to avoid harmful interactions between those drugs, if any;  
11 and

12 (4) contain clearly understandable language that is designed to  
13 assist consumers in understanding the content of, and how to  
14 access, the information made available on the website pursuant to  
15 this section.

16 c. The director may require each pharmacy practice site in the  
17 State to furnish to the director such information as the director  
18 deems necessary to effectuate the provisions of this section.

19 d. The division may contract with a public or private entity for  
20 the purpose of developing, administering, and maintaining the  
21 registry established pursuant to this section. The contract shall  
22 specify the duties and responsibilities of the entity with respect to  
23 the development, administration, and maintenance of the registry.  
24 The division shall monitor the work of the entity to ensure that the  
25 registry is developed, administered, and maintained pursuant to the  
26 requirements of this act.

27 (cf: P.L.2006, c.84, s.1)

28

29 2 Section 2 of P.L.2006, c.84 (C.45:14-82) is amended to read  
30 as follows:

31 2. a. The Director of the Division of Consumer Affairs shall  
32 prepare at least annually, and shall make available to each  
33 pharmacy practice site in the State without charge, a list of the 150  
34 most frequently prescribed prescription drugs that includes the  
35 usual dosages prescribed for each drug and a list of opioid  
36 antidotes.

37 b. Each pharmacy practice site in the State shall maintain a  
38 prescription drug retail price list, which contains the names of the  
39 drugs, including opioid antidotes, on the list provided by the  
40 division pursuant to subsection a. of this section and the retail price  
41 for each drug on the list charged at that pharmacy practice site,  
42 including the date of the update of the retail price list, and shall  
43 make the prescription drug retail price list available to customers  
44 upon request.

45 (1) The prescription drug retail price list shall include an  
46 advisory statement prepared by the division alerting consumers of  
47 the need to tell their health care practitioner and pharmacist about

1 all the medications that they may be taking and to ask them how to  
2 avoid harmful interactions between those drugs, if any.

3 (2) The pharmacy practice site shall post a sign that notifies  
4 customers of the availability of the drug retail price list in a  
5 conspicuous location that is: at or adjacent to the place where  
6 prescriptions are presented for compounding and dispensing; in the  
7 waiting area for customers; or in the area where prescribed drugs  
8 are delivered.

9 c. The provisions of this section shall not be construed to  
10 prevent a pharmacy practice site from changing or charging the  
11 current retail price at any time, provided that the listed price is  
12 updated at least weekly to reflect the new retail price.

13 d. As used in this act, "opioid antidote" means any drug,  
14 regardless of dosage amount or method of administration, which has  
15 been approved by the United States Food and Drug Administration  
16 for the treatment of an opioid overdose, and shall include, but not  
17 be limited to, naloxone hydrochloride in any dosage amount, which  
18 is administered through nasal spray or any other means or methods  
19 approved by the United States Food and Drug Administration.

20 (cf: P.L.2006, c.84, s.1)

21

22 3. This act shall take effect immediately.

23

24

25

#### STATEMENT

26

27 This bill makes the retail price of opioid antidotes readily  
28 available to consumers by including this information in the "New  
29 Jersey Prescription Drug Retail Price Registry" (NJPDRPR).

30 The NJPDRPR was established for the purpose of making up-to-  
31 date retail price information for the 150 most frequently prescribed  
32 prescription drugs in the State readily available to consumers. It  
33 requires the Director of the Division of Consumer Affairs, in  
34 consultation with the Commissioners of Human Services and Health  
35 and Senior Services, to obtain retail price information for certain  
36 prescription drugs, which indicates the actual price to be paid to the  
37 pharmacy by a retail purchaser, and to make that information  
38 available on the internet and by means of a toll-free telephone  
39 service. The registry is organized in a format to allow consumers to  
40 compare prescription drug retail prices charged by pharmacies in  
41 each zip code within the State.

42 This bill includes opioid antidotes on the list of frequently  
43 prescribed prescription drugs.

44 Under current law, the Director of the Division of Consumer  
45 Affairs is required to annually make available to each pharmacy  
46 practice site in this State a list of the 150 most frequently prescribed  
47 prescription drugs. In addition, each pharmacy is required to  
48 maintain a prescription drug retail price list, which includes the

1 names of the drugs included on the NJPDRPR, the retail price for  
2 each drug on the list provided by the Division of Consumer Affairs,  
3 and the retail price for each drug on the list charged at that  
4 pharmacy practice site. The pharmacy is required to post a sign  
5 notifying customers of the availability of the prescription drug retail  
6 price list and to make the list available to customers upon request.

7 This bill includes opioid antidotes on the list of prescription  
8 drugs provided to pharmacies and requires pharmacies to include  
9 opioid antidotes on its prescription drug retail price list available to  
10 customers.

11 Under the bill, “opioid antidotes” is defined as any drug,  
12 regardless of dosage amount or method of administration, which has  
13 been approved by the United States Food and Drug Administration  
14 (FDA) for the treatment of an opioid overdose, and includes  
15 naloxone hydrochloride, commonly known as Narcan.

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO

**SENATE, No. 3802**

**STATE OF NEW JERSEY**

DATED: JUNE 10, 2021

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 3802.

This bill makes the retail price of opioid antidotes readily available to consumers by including this information in the “New Jersey Prescription Drug Retail Price Registry” (NJPDRPR).

The NJPDRPR was established for the purpose of making up-to-date retail price information for the 150 most frequently prescribed prescription drugs in the State readily available to consumers. It requires the Director of the Division of Consumer Affairs, in consultation with the Commissioners of Human Services and Health, to obtain retail price information for certain prescription drugs, which indicates the actual price to be paid to the pharmacy by a retail purchaser, and to make that information available on the internet and by means of a toll-free telephone service. The registry is organized in a format to allow consumers to compare prescription drug retail prices charged by pharmacies in each zip code within the State.

This bill includes opioid antidotes on the list of frequently prescribed prescription drugs.

Under current law, the Director of the Division of Consumer Affairs is required to annually make available to each pharmacy practice site in this State a list of the 150 most frequently prescribed prescription drugs. In addition, each pharmacy is required to maintain a prescription drug retail price list, which includes the names of the drugs included on the NJPDRPR, the retail price for each drug on the list provided by the Division of Consumer Affairs, and the retail price for each drug on the list charged at that pharmacy practice site. The pharmacy is required to post a sign notifying customers of the availability of the prescription drug retail price list and to make the list available to customers upon request.

This bill includes opioid antidotes on the list of prescription drugs provided to pharmacies and requires pharmacies to include opioid antidotes on its prescription drug retail price list available to customers.

Under the bill, “opioid antidote” is defined as any drug, regardless of dosage amount or method of administration, which has been approved by the United States Food and Drug Administration (FDA)

for the treatment of an opioid overdose, and includes naloxone hydrochloride, commonly known as Narcan.

As reported by the committee, Senate Bill No. 3802 is identical to Assembly Bill No. 5595, which was also reported by the committee on this date.

# Governor Murphy Signs Legislative Package to Address New Jersey's Opioid Epidemic

07/2/2021

**ASBURY PARK** – Reaffirming his commitment to end New Jersey's opioid epidemic, Governor Phil Murphy today signed a comprehensive legislative package into law to address the state's opioid crisis through overdose prevention and recovery resilience. The six bills focus on overdose prevention by expanding low-barrier access to naloxone and bridges to medication assisted treatment; strengthens public health data; and builds resiliency among children and families impacted by the opioid crisis.

“Over the last three years, my Administration, alongside our partners in the Legislature and many passionate advocates, has worked to meaningfully combat the opioid crisis that has held our state in its grip for far too long,” **said Governor Murphy**. “We have worked tirelessly to erase the stigma associated with opioid use disorder and people who use drugs, close gaps in treatment, expand access and use of life-saving medicines like naloxone, and support the work of syringe exchange programs and harm reduction centers. The fight against the opioid epidemic has required a focus on harm reduction by providing safe and compassionate access points to care and by securing funding for vital programs and recovery services. By signing these bills today, we are strengthening the foundation of these critical resources and programs, keeping families together, and furthering our commitment to saving lives and ending the opioid epidemic in New Jersey.”

“The opioid epidemic is a national public health crisis that devastates families every day,” **said U.S. Congressman Frank Pallone**. “We know that harm reduction is critical to saving lives and getting the help individuals who suffer from opioid use disorder need to combat this epidemic. As Chairman of the Energy and Commerce Committee, I've helped pass legislation in Congress to address this crisis and will continue to work at the federal level to save lives. I'm proud to join Governor Murphy today as we take another step forward in expanding access to treatments and lifesaving medications in our state.”

Governor Murphy signed the following six bills into law:

**S3491 (Vitale, Lagana, Vainieri Huttel/Verrelli, Benson)** Revises and expands authorization for any person or entity to obtain, distribute, and administer opioid antidotes.

**S3803 (Vitale, Schepisi/Conaway, Vainieri Huttel, Verrelli)** Permits certain paramedics to administer buprenorphine.

**A5595 (Verrelli, Benson, Holley/Gopal, Lagana)** Requires Division of Consumer Affairs to publish retail price of certain opioid antidotes.

**A5597 (Conaway, Jimenez, Speight/Vitale, Turner)** Permits school districts to administer student health surveys after prior written notification to parents and legal guardians.

**S3814 (Madden/Conaway, Mosquera, Tully)** Requires DCF or court to consider placement of children with relatives or kinship guardians when making placement decision; makes changes to certain standards for initiating petitions to terminate parental rights.

**A5703 (Armato, Verrelli, Conaway/Addiego, Lagana)** Requires certain health insurers, Medicaid, NJ FamilyCare, SHBP, and SEHBP to cover naloxone without imposing prior authorization requirements.



"I would like to thank the Governor for signing these crucial and life-saving bills into law today," **said Senator Joseph Vitale**. "Drug overdose is the leading cause of accidental death in the United States, with opioids being the most common drug, causing approximately 70 percent of all drug overdose deaths. Many of these lives could have been saved with the use of opioid antidotes, however; there is currently only a limited amount of individuals authorized to administer these antidotes. These new laws will expand who can deliver antidotes to a larger group of individuals, which will be crucial in saving countless lives from overdose."

"This bill keeps reunification the focus by removing barriers to relatives becoming Kinship Legal Guardians so that the child's relationship with their birth parents can be preserved," **said Senator Fred Madden**. "Kinship relationships increase the emotional well-being of a child and reduce their number of placements in foster care. This legislation will allow case precedent to better reflect new research."

"It's important that we have accurate data on the social, emotional and physical well-being of our students," **said Senator Shirley Turner**. "This legislation will help to provide that, by ensuring we are allowing as many students as possible to participate in these valuable surveys. I am grateful to see the Governor signing this measure into law and I look forward to seeing the impact it has on our public health initiatives."

"In 2020 alone, New Jersey had thousands of suspected opioid overdose deaths," **said Senator Joseph Laguna**. "It is evident that when we increase the availability of opioid antidotes, we can equip ourselves with the resources needed to greatly diminish the amount of deaths we have each year. Additionally, having the prices of these antidotes readily available will encourage those suffering from addiction to seek out antidotes that can be life-saving in dire times. I commend the Governor for signing this bill package today and I know we will save more lives because of it."

"Complete and utter transparency between the Division of Consumer Affairs and consumers is essential," **said Senator Vin Gopal**. "Antidotes like Narcan save lives and its accessibility can be the difference between a fatal drug overdose and someone's resuscitation. This legislation will ensure that consumers can identify which opioid antidotes they can afford and encourage them to purchase one to keep on them in case of emergency."

"Naloxone is crucial in treating an opioid overdose in the event of an emergency," **said Senator Dawn Addiego**. "When properly administered, the drug has been proven to significantly decrease the likelihood of death following an overdose, saving countless lives to date. It is imperative that we make this life-saving medication as accessibly as possible to our residents."

"As a doctor, I know just how important it is to prepare for and respond to medical emergencies patients may encounter," **said Assemblyman Herb Conaway**. "With thousands of lives lost to overdoses each year, we need a system in place to help residents struggling with substance use disorders who may be at risk for overdoses."

"Having immediate access to an opioid antidote when helping someone experiencing an overdose can mean the difference between life and death," **said Assemblyman Anthony Verrelli**. "It might be too late if a patient has to wait for treatment until they reach the hospital, which is why we must improve access to these medicines in our state."

"Every life lost to an overdose is a tragedy that might have been avoided with the right resources and support," **said Assemblyman John Armato**. "We must do everything in our power to help prevent the needless loss of life caused by drug overdoses throughout our state."

"Due to the addictive nature of these drugs, unfortunately it is quite possible for someone who overdosed once to accidentally overdose again," **said Assemblywoman Valerie Vainieri Huttle**. "We must take a holistic approach to combating overdoses by also treating opioid use disorder itself with medicines such

as buprenorphine.”

“Studies have shown that children often fare better when placed with relatives rather than someone they do not know in foster care,” **said Assemblywoman Gabriela Mosquera**. “More residents with happier, stable childhoods will help reduce the number of people throughout our state who struggle with substance use disorder.”

“A safe and loving home environment helps pave the way for children to lead healthier lives,” **said Assemblyman Christopher Tully**. “This legislation provides solutions to one of the key factors contributing to substance use disorder by ensuring more children end up with family or friends who know them and can care for them when their parents cannot.”

“When you consider the prevalence of overdoses in our state and just how effective opioid antidotes can be in those situations, it is clear we must do everything we can to make this medication widely available,” **said Assemblyman Daniel Benson**. “Allowing anyone to obtain opioid antidotes and give them out or utilize them in emergency situations is one way we can help get this life-saving medicine into the hands of the many residents who need it.”

“Opioid antidotes save lives – it’s as simple as that,” **said Assemblyman Jamel Holley**. “There can be no confusion about pricing and accessibility when it comes to helping our community members acquire these medicines.”

“With drug use sometimes beginning as young as 12-years-old, it is vital our State gathers information on the various health issues affecting our students,” **said Assemblywoman Angelica Jimenez**. “Knowing just how many children have already been exposed to harmful substances will help us better understand the scope of the issue and how to address it before it becomes more severe in adulthood.”

“We need to know more about the health challenges facing New Jersey students today,” **said Assemblywoman Shanique Speight**. “Understanding how many students are actively using harmful substances will make it easier for us to reach out and provide support to the children in our communities who need our help.”

“Governor Murphy and the Legislature are committed to saving lives by reaching those in need and removing barriers to treatment, and that includes making life-saving opioid antidotes as accessible as possible,” **said New Jersey Department of Human Services Acting Commissioner Sarah Adelman**. “We’ve worked to get the opioid overdose antidote naloxone into as many hands as possible, distributing 62,000 free doses to residents at more than 300 pharmacies and giving more than 70,000 free naloxone doses to police, EMS, homeless shelters, libraries, reentry organizations and county mobile outreach units. Naloxone saves lives, and these new laws will help reinforce these efforts to get it into as many hands as possible in as many ways as possible.”

“Today, New Jersey is making a strong and lasting statement with several new laws that support substance use treatment, recovery and family connections,” **said New Jersey Department of Children and Families Commissioner Christine Norbut Beyer**. “Through our work in child welfare, we know that substance use and addiction are often underlying factors of family separation, with resulting trauma that can have long term, negative effects on everyone involved. This new law will help create placement stability for children who are removed due to a caregiver’s opioid abuse, and will ensure that the preference for kinship placements is preserved.”

“Today’s actions further demonstrate Governor Murphy’s commitment to end the opioid epidemic in New Jersey. By removing barriers to life-saving treatments like naloxone, and addressing the impact of addiction on families, these new laws will make it easier for people battling with substance abuse to receive the help they need and will ultimately save lives,” **said New Jersey Department of Banking and Insurance Commissioner Marlene Caride**.

"New Jersey remains resolute in its commitment to ending the addiction crisis that continues to claim lives in communities across New Jersey," **said Attorney General Gurbir S. Grewal**. "These bills bolster our efforts by expanding access to life-saving medications and giving those on the front lines additional resources to fight this epidemic."

"Taken together, these bills provide powerful tools to address the overdose epidemic," **said New Jersey Department of Health Commissioner Judith Persichilli**. "Fundamentally rooted in science, compassion and harm reduction, these bills will help reverse the tide of the overdose epidemic, which has robbed us of too many people we love. These bills come at a crucial time, especially as we worry about an uptick in overdoses as a result of the COVID-19 pandemic."

"Breaking down barriers to affordable high-quality healthcare is the hallmark of what we do at the VNACJ Community Health Center," **said Christopher R. Rinn, CEO of the VNACJ Community Health Center**. "Today's initiatives not only underscore Governor Murphy's ongoing commitment to end the opioid epidemic but also empower those at the community level to improve access to a whole host addiction services. We are especially grateful for the support of our Medication Assistant Therapy (MAT) programs. The opioid epidemic continues to impact thousands of lives in the communities we serve. Thanks to the Governor's and the Legislature's leadership, we are saving lives and empowering patients onto the journey of recovery."

"Expanding New Jersey's naloxone standing order will make it much easier for people who use drugs to access this life-saving medication," **said Jenna Mellor, Executive Director, New Jersey Harm Reduction Coalition**. "When naloxone is widely available, people who are most likely to witness an overdose can act as first responders and save the life of a friend or family member. This legislation will get naloxone into as many hands as possible, which is one of the few proven ways to prevent overdose deaths. We sincerely thank Governor Murphy, Senator Vitale, and Assemblywoman Vaineri Huttel for their leadership on this issue, and look forward to finding new ways to expand harm reduction services across the Garden State."

"The bills signed today ensure that cost, location, and stigma never stand in the way of naloxone access for people who use drugs, people who used to use drugs, and our loved ones," **said Caitlin O'Neill, Director of Harm Reduction Services and co-founder, New Jersey Harm Reduction Coalition**. "Having naloxone on-hand is critical to keeping one another alive, and this bill makes widespread naloxone distribution possible. I commend Governor Murphy, Senator Vitale, and Assemblywoman Vainieri Huttel for responding with true leadership when people who use drugs when we told you we need widespread community naloxone access to survive, and I look forward to continuing to expand harm reduction services throughout the Garden State."