

45:9-16

**LEGISLATIVE HISTORY CHECKLIST**  
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**NJSA:** 45:9-16 (Pharmacists - require Board of  
Medical Examiners to provide  
timely information)

**LAWS OF:** 1991 **CHAPTER:** 304

**Bill No:** A911

**Sponsor(s):** Otlowski

**Date Introduced:** Pre-filed

**Committee: Assembly:** Health & Human Services

**Senate:** Institutions, Health & Welfare

**Amended during passage:** Yes Amendments during passage  
denoted by asterisks

**Date of Passage: Assembly:** January 10, 1991

**Senate:** July 25, 1991

**Date of Approval:** November 7, 1991

**Following statements are attached if available:**

**Sponsor statement:** Yes

**Committee Statement: Assembly:** Yes

**Senate:** Yes

**Fiscal Note:** No

**Veto Message:** No

**Message on signing:** No

**Following were printed:**

**Reports:** No

**Hearings:** No

KBG/dgw

[FIRST REPRINT]  
ASSEMBLY, No. 911

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblymen OTLOWSKI and DUCH

1 AN ACT concerning the provision of information about certain  
2 health care practitioners to pharmacists <sup>1</sup>[and supplementing  
3 chapter 21 of Title 24 of the Revised Statutes]<sup>1</sup>.

4

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

7 <sup>1</sup>[1. The Commissioner of Health shall receive and compile  
8 information on each physician, dentist or veterinarian licensed,  
9 registered or otherwise permitted to prescribe or administer a  
10 controlled dangerous substance in the course of professional  
11 practice whose license to practice has been suspended, revoked,  
12 or voluntarily surrendered, or who has been ordered to cease and  
13 desist from prescribing or administering certain substances. This  
14 information shall include but need not be limited to the name,  
15 title, address and license numbers of that person, the nature of  
16 the disciplinary action taken, and the effective date of that  
17 action.]<sup>1</sup>

18 <sup>1</sup>[2.] 1.<sup>1</sup> The State Board of Medical Examiners<sup>1</sup>[, in  
19 accordance with the requirements of section 1 of P.L. , c.  
20 (C. ) (now pending before the Legislature as this bill),]<sup>1</sup> shall  
21 notify <sup>1</sup>[the Commissioner of Health] each pharmacy owner in the  
22 State<sup>1</sup> in writing of any physician permitted to prescribe or  
23 administer a controlled dangerous substance in the course of  
24 professional practice whose license to practice has been  
25 suspended, revoked, or voluntarily surrendered, or who has been  
26 ordered to cease and desist from prescribing or administering  
27 certain substances. <sup>1</sup>The board shall also notify the pharmacy  
28 owners when the physician's license to practice or authority to  
29 prescribe or administer certain substances has been reinstated.

30 Pursuant to section 4 of P.L. , c. (C. )(now pending before  
31 the Legislature as this bill), the board shall request the Board of  
32 Pharmacy of the State of New Jersey to provide the board with a  
33 list of names and addresses of the pharmacy owners in the State.<sup>1</sup>

34 <sup>1</sup>[3.] 2.<sup>1</sup> The New Jersey State Board of Dentistry<sup>1</sup>[, in  
35 accordance with the requirements of section 1 of P.L. , c.  
36 (C. ) (now pending before the Legislature as this bill),]<sup>1</sup>  
37 shall notify <sup>1</sup>[the commissioner] each pharmacy owner in the  
38 State<sup>1</sup> in writing of any dentist permitted to prescribe or

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:

<sup>1</sup> Senate SIH committee amendments adopted May 13, 1991.

1 administer a controlled dangerous substance in the course of  
2 professional practice whose license to practice has been  
3 suspended, revoked, or voluntarily surrendered, or who has been  
4 ordered to cease and desist from prescribing or administering  
5 certain substances. <sup>1</sup>The board shall also notify the pharmacy  
6 owners when the dentist's license to practice or authority to  
7 prescribe or administer certain substances has been reinstated.

8 Pursuant to section 4 of P.L. , c. (C. )(now pending before  
9 the Legislature as this bill), the board shall request the Board of  
10 Pharmacy of the State of New Jersey to provide the board with a  
11 list of names and addresses of the pharmacy owners in the State.<sup>1</sup>

12 <sup>1</sup>[4.] 3.<sup>1</sup> The State Board of Veterinary Medical Examiners<sup>1</sup>,  
13 in accordance with the requirements of section 1 of P.L. , c.  
14 (C. ) (now pending before the Legislature as this bill),<sup>1</sup> shall  
15 notify <sup>1</sup>[the commissioner] each pharmacy owner in the State<sup>1</sup> in  
16 writing of any veterinarian permitted to prescribe or administer a  
17 controlled dangerous substance in the course of professional  
18 practice whose license to practice has been suspended, revoked,  
19 or voluntarily surrendered, or who has been ordered to cease and  
20 desist from prescribing or administering certain substances. <sup>1</sup>The  
21 board shall also notify the pharmacy owners when the  
22 veterinarian's license to practice or authority to prescribe or  
23 administer certain substances has been reinstated.

24 Pursuant to section 4 of P.L. , c. (C. )(now pending before  
25 the Legislature as this bill), the board shall request the Board of  
26 Pharmacy of the State of New Jersey to provide the board with a  
27 list of names and addresses of the pharmacy owners in the State.<sup>1</sup>

28 <sup>1</sup>[5. The commissioner shall provide this information in written  
29 form to the Board of Pharmacy of the State of New Jersey. The  
30 commissioner may also provide this information to such other  
31 agency or person as he deems necessary to carry out this act.]<sup>1</sup>

32 <sup>1</sup>[6.] 4.<sup>1</sup> The Board of Pharmacy of the State of New Jersey  
33 shall <sup>1</sup>[be responsible for making this information available in  
34 written form to each pharmacy owner in this State for the use of  
35 any pharmacist employed in the owner's place of business]  
36 provide to the State Board of Medical Examiners, the New Jersey  
37 State Board of Dentistry and the State Board of Veterinary  
38 Medical Examiners, upon request, a list of names and addresses of  
39 all pharmacy owners in the State for use by the respective boards  
40 pursuant to P.L. , c. (C. )(now pending before the Legislature  
41 as this bill). The board shall periodically update the list and  
42 provide the updated information to the respective boards, as  
43 appropriate<sup>1</sup>.

44 <sup>1</sup>[7. The commissioner, pursuant to the "Administrative  
45 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt  
46 rules and regulations necessary to effectuate the purposes of this  
47 act.]<sup>1</sup>

48 <sup>1</sup>[8.] 5.<sup>1</sup> This act shall take effect immediately.

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HEALTH

Provides that pharmacists be timely notified of the names of health care practitioners who may no longer prescribe drugs.

1 license to practice has been suspended, revoked, or voluntarily  
2 surrendered, or who has been ordered to cease and desist from  
3 prescribing or administering certain substances.

4 5. The commissioner shall provide this information in written  
5 form to the Board of Pharmacy of the State of New Jersey. The  
6 commissioner may also provide this information to such other  
7 agency or person as he deems necessary to carry out this act.

8 6. The Board of Pharmacy of the State of New Jersey shall be  
9 responsible for making this information available in written form  
10 to each pharmacy owner in this State for the use of any  
11 pharmacist employed in the owner's place of business.

12 7. The commissioner, pursuant to the "Administrative  
13 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt  
14 rules and regulations necessary to effectuate the purposes of this  
15 act.

16 8. This act shall take effect immediately.

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#### STATEMENT

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21 This bill is intended to ensure that every pharmacy owner in  
22 this State is notified on a timely basis of any physician, dentist,  
23 or veterinarian allowed to prescribe or administer controlled  
24 drugs whose license has been suspended, revoked or voluntarily  
25 surrendered, or who has been ordered to cease and desist from  
26 prescribing or administering certain drugs. The bill requires the  
27 Department of Health to receive this information from the  
28 appropriate State professional board as the case may be. The  
29 department shall provide this information to the State Board of  
30 Pharmacy which shall be responsible for making this information  
31 available in writing to each pharmacy owner for the use of any  
32 pharmacist employed in the owner's place of business.

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#### HEALTH

36

37 Provides that pharmacists be timely notified of the names of  
38 health care practitioners who may no longer prescribe drugs.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 911

STATE OF NEW JERSEY

DATED: APRIL 5, 1990

The Assembly Health and Human Services Committee favorably reports Assembly Bill No. 911.

This bill is intended to ensure that every pharmacy owner in this State is notified on a timely basis of any physician, dentist, or veterinarian allowed to prescribe or administer controlled drugs whose license has been suspended, revoked or voluntarily surrendered, or who has been ordered to cease and desist from prescribing or administering certain drugs. The bill requires the Department of Health to receive this information from the appropriate State professional board. The department shall provide this information to the State Board of Pharmacy which shall be responsible for making this information available in writing to each pharmacy owner for the use of any pharmacist employed in the owner's place of business.

This bill was pre-filed for introduction in the 1990-91 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE INSTITUTIONS, HEALTH AND WELFARE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 911

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 13, 1991

The Senate Institutions, Health and Welfare Committee favorably reports Assembly Bill No. 911 with committee amendments.

As amended by committee, this bill requires the State Board of Medical Examiners, the New Jersey State Board of Dentistry, and the State Board of Veterinary Medical Examiners, to each notify in writing every pharmacy owner in the State when the license of a practitioner under its respective jurisdiction is suspended, revoked, or voluntarily surrendered, or the practitioner has been ordered to cease and desist from prescribing or administering certain substances. The Board of Pharmacy of the State of New Jersey is directed to provide the respective boards with a list of the names and addresses of all the pharmacy owners in the State.

The committee amended the bill to delete the requirements that the licensing boards report the information about a prescriber to the Department of Health and that the department so notify the Board of Pharmacy. The amendments require, instead, that the respective boards notify the pharmacy owners directly. Other amendments require the licensing boards to also inform the pharmacy owners when the physician, dentist or veterinarian's license or authority to prescribe or administer controlled dangerous substances has been reinstated.

This bill is identical to Senate Bill No. 3229 SCA (Paterniti), which the committee also reported favorably on this date.