



AMENDMENT NO. 1 Calendar No. _____

Purpose: To permit certain partial fillings of prescriptions.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. _____

To amend the Public Health Service Act to provide comprehensive mental health reform, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. WARREN (for herself, Mr. ALEXANDER, and Mr. BENNET)

Viz:

1 At the end, add the following:

2 **SEC. 806. PARTIAL FILL OF SCHEDULE II PRESCRIPTIONS.**

3 (a) DEFINITIONS.—In this section—

4 (1) the terms “controlled substance”, “dis-
5 pense”, and “practitioner” have the meanings given
6 those terms in section 102 of the Controlled Sub-
7 stances Act (21 U.S.C. 802);

8 (2) the term “emergency situation” means an
9 emergency situation prescribed by the Secretary of
10 Health and Human Services in accordance with sec-
11 tion 309(a) of the Controlled Substances Act (21
12 U.S.C. 829(a)); and

1 (3) the term “schedule II” means schedule II of
2 section 202(c) of the Controlled Substances Act (21
3 U.S.C. 812(c)).

4 (b) PARTIAL FILLS.—A prescription for a controlled
5 substance in schedule II may be partially filled if—

6 (1) it is not prohibited by State law;

7 (2) the prescription is written and filled in ac-
8 cordance with the Controlled Substances Act (21
9 U.S.C. 801 et seq.), regulations prescribed by the
10 Attorney General, and State law;

11 (3) the partial fill is requested by the patient or
12 the practitioner that wrote the prescription; and

13 (4) the total quantity dispensed in all partial
14 fillings does not exceed the total quantity prescribed.

15 (c) REMAINING PORTIONS.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2), remaining portions of a partially filled
18 prescription for a controlled substance in schedule
19 II—

20 (A) may be filled; and

21 (B) shall be filled not later than 30 days
22 after the date on which the prescription is writ-
23 ten.

24 (2) EMERGENCY SITUATIONS.—In emergency
25 situations, the remaining portions of a partially

1 filled prescription for a controlled substance in
2 schedule II—

3 (A) may be filled; and

4 (B) shall be filled not later than 72 hours
5 after the prescription is issued.