

Union Calendar No.

114TH CONGRESS
2^D SESSION

H. R. 4599

[Report No. 114-]

To amend the Controlled Substances Act to permit certain partial fillings
of prescriptions.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 2016

Ms. CLARK of Massachusetts (for herself and Mr. STIVERS) introduced the
following bill; which was referred to the Committee on Energy and Commerce

MAY --, 2016

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 24, 2016]

A BILL

To amend the Controlled Substances Act to permit certain partial fillings of prescriptions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Reducing Unused Medi-*
5 *cations Act of 2016”.*

6 **SEC. 2. PARTIAL FILLS OF SCHEDULE II CONTROLLED SUB-**
7 **STANCES.**

8 *(a) IN GENERAL.—Section 309 of the Controlled Sub-*
9 *stances Act (21 U.S.C. 829) is amended by adding at the*
10 *end the following:*

11 *“(f) PARTIAL FILLS OF SCHEDULE II CONTROLLED*
12 *SUBSTANCES.—*

13 *“(1) PARTIAL FILLS.—*

14 *“(A) IN GENERAL.—A prescription for a*
15 *controlled substance in schedule II may be par-*
16 *tially filled if—*

17 *“(i) it is not prohibited by State law;*

18 *“(ii) the prescription is written and*
19 *filled in accordance with the Controlled*
20 *Substances Act (21 U.S.C. 801 et seq.), reg-*
21 *ulations prescribed by the Attorney General,*
22 *and State law;*

23 *“(iii) the partial fill is requested by*
24 *the patient or the practitioner that wrote*
25 *the prescription; and*

1 “(iv) *the total quantity dispensed in*
2 *all partial fillings does not exceed the total*
3 *quantity prescribed.*

4 “(B) *OTHER CIRCUMSTANCES.—A prescrip-*
5 *tion for a controlled substance in schedule II*
6 *may be partially filled in accordance with sec-*
7 *tion 1306.13 of title 21, Code of Federal Regula-*
8 *tions (as in effect on the date of enactment of the*
9 *Reducing Unused Medications Act of 2016).*

10 “(2) *REMAINING PORTIONS.—*

11 “(A) *IN GENERAL.—Except as provided in*
12 *subparagraph (B), remaining portions of a par-*
13 *tially filled prescription for a controlled sub-*
14 *stance in schedule II—*

15 “(i) *may be filled; and*

16 “(ii) *shall be filled not later than 30*
17 *days after the date on which the prescrip-*
18 *tion is written.*

19 “(B) *EMERGENCY SITUATIONS.—In emer-*
20 *gency situations, as described in subsection (a),*
21 *the remaining portions of a partially filled pre-*
22 *scription for a controlled substance in schedule*
23 *II—*

24 “(i) *may be filled; and*

1 “(i) shall be filled not later than 72
2 hours after the prescription is issued.”.

3 (b) *RULE OF CONSTRUCTION.*—*Nothing in this section*
4 *shall be construed to affect the authority of the Attorney*
5 *General to allow a prescription for a controlled substance*
6 *in schedule III, IV, or V of section 202(c) of the Controlled*
7 *Substances Act (21 U.S.C. 812(c)) to be partially filled.*