

Union Calendar No. 131

115TH CONGRESS
1ST SESSION

H. R. 1492

[Report No. 115–192, Part I]

To amend the Controlled Substances Act to direct the Attorney General to register practitioners to transport controlled substances to States in which the practitioner is not registered under the Act for the purpose of administering the substances (under applicable State law) at locations other than principal places of business or professional practice.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2017

Mr. SESSIONS introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JUNE 23, 2017

Reported from the Committee on Energy and Commerce

JUNE 23, 2017

The Committee on the Judiciary discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Controlled Substances Act to direct the Attorney General to register practitioners to transport controlled substances to States in which the practitioner is not registered under the Act for the purpose of administering the substances (under applicable State law) at locations other than principal places of business or professional practice.

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 “Medical Controlled
5 Substances Transportation Act of 2017”.

6 **SEC. 2. REGISTRATION FOR TRANSPORT OF CONTROLLED**
7 **SUBSTANCES TO STATES IN WHICH THE**
8 **PRACTITIONER IS NOT REGISTERED UNDER**
9 **THE CONTROLLED SUBSTANCES ACT FOR**
10 **THE PURPOSE OF ADMINISTERING THE SUB-**
11 **STANCES AT LOCATIONS OTHER THAN PRIN-**
12 **CIPAL PLACES OF BUSINESS OR PROFES-**
13 **SIONAL PRACTICE.**

14 Section 303 of the Controlled Substances Act (21
15 U.S.C. 823) is amended by adding at the end the fol-
16 lowing:

17 “(k) REGISTRATION FOR TRANSPORT OF CON-
18 TROLLED SUBSTANCES TO STATES IN WHICH THE PRAC-
19 TITIONER IS NOT REGISTERED FOR THE PURPOSE OF
20 ADMINISTERING THE SUBSTANCES AT LOCATIONS OTHER
21 THAN PRINCIPAL PLACES OF BUSINESS OR PROFES-
22 SIONAL PRACTICE.—

23 “(1) IN GENERAL.—Upon application by a
24 practitioner (other than a pharmacy) who is reg-
25 istered under subsection (f), the Attorney General

1 shall issue a separate registration to the practitioner
2 authorizing the practitioner—

3 “(A) to transport one or more controlled
4 substances in schedule II, III, IV, or V from
5 the practitioner’s registered location in a State
6 to one or more States in which the practitioner
7 is not registered under subsection (f) for the
8 purpose of the practitioner administering the
9 substances at locations other than a principal
10 place of business or professional practice; and

11 “(B) to so administer the substances.

12 “(2) REQUIREMENTS.—For a practitioner to be
13 authorized to transport and administer controlled
14 substances pursuant to a registration issued under
15 paragraph (1), all of the following conditions must
16 be satisfied:

17 “(A) The practitioner must be licensed,
18 registered, or otherwise permitted by the State
19 in which the controlled substances are adminis-
20 tered to carry out such activity at the location
21 where it occurs.

22 “(B) The practitioner must—

23 “(i) limit the time of transport and
24 administering of any controlled substance

1 pursuant to such registration to not more
2 than 72 consecutive hours; and

3 “(ii) by the conclusion of such 72
4 hours, return any such controlled sub-
5 stance so transported but not administered
6 to the registered location from which such
7 substance was obtained.

8 “(C)(i) The practitioner must maintain
9 records of the transporting and administering
10 of any controlled substance pursuant to this
11 subsection.

12 “(ii) Such records shall be maintained, in
13 accordance with the requirements of section
14 307(b), at the practitioner’s registered location
15 from which the controlled substances were ob-
16 tained and shall include—

17 “(I) the location where the controlled
18 substance was administered; and

19 “(II) such other information as may
20 be required by regulation of the Attorney
21 General with respect to records for dis-
22 pensers of controlled substances.

23 “(iii) Notwithstanding clause (ii), the ex-
24 ception in subsection 307(c)(1)(B) shall not
25 apply to records required by this subparagraph.

1 “(3) GROUNDS FOR DENIAL OR REVOCATION.—

2 The Attorney General may deny an application for
3 registration under this subsection, or a renewal
4 thereof, or revoke such registration, based on the
5 criteria listed in section 304(a), except that the ap-
6 plicant shall not be required, as a condition of ini-
7 tially obtaining such registration, to present proof of
8 State authorization to administer controlled sub-
9 stances.

10 “(4) AUTOMATIC TERMINATION.—A registra-
11 tion issued under this subsection shall automatically
12 terminate if the practitioner no longer has an active
13 registration under subsection (f) due to revocation,
14 suspension, surrender, or other termination.

15 “(5) DEFINITION.—In this subsection, the term
16 ‘registered location’ means, with respect to each reg-
17 istration issued to a practitioner under subsection
18 (f), the address that appears on the certificate of
19 registration.”.

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