

**[COMMITTEE PRINT]**

(SHOWING H.R. 4599, AS FORWARDED BY THE SUBCOMMITTEE ON HEALTH  
ON APRIL 20, 2016)

114TH CONGRESS  
2D SESSION

**H. R. 4599**

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

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**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

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**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  
5 Medications Act of 2016”.

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

3 (a) IN GENERAL.—Section 309 of the Controlled  
4 Substances Act (21 U.S.C. 829) is amended by adding at  
5 the end the following:

6 “(f) PARTIAL FILLS OF SCHEDULE II CONTROLLED  
7 SUBSTANCES.—

8 “(1) PROHIBITION.—Except as provided in this  
9 subsection, a prescription for a controlled substance  
10 in schedule II may not be partially filled.

11 “(2) PARTIAL FILLS.—

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

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

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

21 “(iii) the partial fill is requested by  
22 the patient or the practitioner that wrote  
23 the prescription; and

24 “(iv) the total quantity dispensed in  
25 all partial fillings does not exceed the total  
26 quantity prescribed.

1           “(B) OTHER CIRCUMSTANCES.—A pre-  
2           scription for a controlled substance in schedule  
3           II may be partially filled in accordance with  
4           section 1306.13 of title 21, Code of Federal  
5           Regulations (as in effect on the date of enact-  
6           ment of the Reducing Unused Medications Act  
7           of 2016).

8           “(3) REMAINING PORTIONS.—

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

13                 “(i) may be filled; and

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

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

22                 “(i) may be filled; and

23                 “(ii) shall be filled not later than 72  
24                 hours after the prescription is issued.”.

1           (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
2 tion shall be construed to affect the authority of the Attor-  
3 ney General to allow a prescription for a controlled sub-  
4 stance in schedule III, IV, or V of section 202(c) of the  
5 Controlled Substances Act (21 U.S.C. 812(c)) to be par-  
6 tially filled.

Amend the title so as to read: “A bill to amend the  
Controlled Substances Act to clarify the circumstances  
under which a controlled substance in schedule II may be  
partially filled.”.