

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4599
OFFERED BY M . _____**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Reducing Unused
3 Medications Act of 2016”.

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

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

9 “(f) PARTIAL FILLS OF SCHEDULE II CONTROLLED
10 SUBSTANCES.—

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

14 “(2) PARTIAL FILLS.—

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

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

1 “(ii) the prescription is written and
2 filled in accordance with the Controlled
3 Substances Act (21 U.S.C. 801 et seq.),
4 regulations prescribed by the Attorney
5 General, and State law;

6 “(iii) the partial fill is requested by
7 the patient or the practitioner that wrote
8 the prescription; and

9 “(iv) the total quantity dispensed in
10 all partial fillings does not exceed the total
11 quantity prescribed.

12 “(B) OTHER CIRCUMSTANCES.—A pre-
13 scription for a controlled substance in schedule
14 II may be partially filled in accordance with
15 section 1306.13 of title 21, Code of Federal
16 Regulations (as in effect on the date of enact-
17 ment of the Reducing Unused Medications Act
18 of 2016).

19 “(3) REMAINING PORTIONS.—

20 “(A) IN GENERAL.—Except as provided in
21 paragraph (2), remaining portions of a partially
22 filled prescription for a controlled substance in
23 schedule II—

24 “(i) may be filled; and

1 “(ii) shall be filled not later than 30
2 days after the date on which the prescrip-
3 tion is written.

4 “(B) EMERGENCY SITUATIONS.—In emer-
5 gency situations, as described in subsection (a),
6 the remaining portions of a partially filled pre-
7 scription for a controlled substance in schedule
8 II—

9 “(i) may be filled; and

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

12 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion shall be construed to affect the authority of the Attor-
14 ney General to allow a prescription for a controlled sub-
15 stance in schedule III, IV, or V of section 202(c) of the
16 Controlled Substances Act (21 U.S.C. 812(c)) to be par-
17 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.”.

