**South Carolina General Assembly**

122nd Session, 2017-2018

**A243, R243, H3826**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Huggins, Bedingfield, Fry, Henderson, Johnson, Hewitt, Crawford, Duckworth, Allison, Forrester, Tallon, Hamilton, Felder, Elliott, B. Newton, Martin, Erickson, Dillard, G.R. Smith, Robinson‑Simpson, Long, Taylor, Hixon, Arrington, Bennett, W. Newton, Putnam and Cogswell

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Introduced in the House on February 22, 2017

Introduced in the Senate on March 21, 2018

Last Amended on April 25, 2018

Passed by the General Assembly on May 3, 2018

Governor's Action: May 17, 2018, Signed

Summary: Prescriptions

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/22/2017 House Introduced and read first time ([House Journal‑page 41](file:///h%3A%5Chj%5C20170222.docx))

 2/22/2017 House Referred to Committee on **Education and Public Works** ([House Journal‑page 41](file:///h%3A%5Chj%5C20170222.docx))

 2/28/2017 House Member(s) request name added as sponsor: Allison, Forrester, Tallon, Hamilton, Felder, Elliott

 3/2/2017 House Recalled from Committee on **Education and Public Works** ([House Journal‑page 17](file:///h%3A%5Chj%5C20170302.docx))

 3/2/2017 House Recommitted to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 17](file:///h%3A%5Chj%5C20170302.docx))

 3/7/2017 House Member(s) request name added as sponsor: B.Newton, Martin, Erickson, Dillard, G.R.Smith, Robinson‑Simpson, Long, Taylor, Hixon, Arrington, Bennett, W.Newton

 3/8/2017 House Member(s) request name added as sponsor: Putnam, Cogswell

 3/8/2018 House Committee report: Favorable with amendment **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 3](file:///h%3A%5Chj%5C20180308.docx))

 3/20/2018 House Amended ([House Journal‑page 16](file:///h%3A%5Chj%5C20180320.docx))

 3/20/2018 House Read second time ([House Journal‑page 16](file:///h%3A%5Chj%5C20180320.docx))

 3/20/2018 House Roll call Yeas‑102 Nays‑0 ([House Journal‑page 18](file:///h%3A%5Chj%5C20180320.docx))

 3/21/2018 House Read third time and sent to Senate ([House Journal‑page 7](file:///h%3A%5Chj%5C20180321.docx))

 3/21/2018 Senate Introduced and read first time ([Senate Journal‑page 4](file:///h%3A%5Csj%5C20180321.docx))

 3/21/2018 Senate Referred to Committee on **Medical Affairs** ([Senate Journal‑page 4](file:///h%3A%5Csj%5C20180321.docx))

 4/19/2018 Senate Committee report: Favorable with amendment **Medical Affairs** ([Senate Journal‑page 6](file:///h%3A%5Csj%5C20180419.docx))

 4/25/2018 Senate Committee Amendment Adopted ([Senate Journal‑page 22](file:///h%3A%5Csj%5C20180425.docx))

 4/25/2018 Senate Read second time ([Senate Journal‑page 22](file:///h%3A%5Csj%5C20180425.docx))

 4/25/2018 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 22](file:///h%3A%5Csj%5C20180425.docx))

 4/26/2018 Senate Read third time and returned to House with amendments ([Senate Journal‑page 19](file:///h%3A%5Csj%5C20180426.docx))

 5/3/2018 House Concurred in Senate amendment and enrolled ([House Journal‑page 32](file:///h%3A%5Chj%5C20180503.docx))

 5/3/2018 House Roll call Yeas‑96 Nays‑0 ([House Journal‑page 32](file:///h%3A%5Chj%5C20180503.docx))

 5/14/2018 Ratified R 243

 5/17/2018 Signed By Governor

 5/30/2018 Effective date 07/16/18

 5/31/2018 Act No. 243

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3826&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/22/2017](file:///p%3A%5Cpprever%5C2017-18%5C3826_20170222.docx)

[3/8/2018](file:///p%3A%5Cpprever%5C2017-18%5C3826_20180308.docx)

[3/20/2018](file:///p%3A%5Cpprever%5C2017-18%5C3826_20180320.docx)

[4/19/2018](file:///p%3A%5Cpprever%5C2017-18%5C3826_20180419.docx)

[4/25/2018](file:///p%3A%5Cpprever%5C2017-18%5C3826_20180425.docx)

(A243, R243, H3826)

**AN ACT** **TO AMEND SECTION 44-53-360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS, SO AS TO REQUIRE WRITTEN PRESCRIPTIONS FOR CONTROLLED SUBSTANCES TO BE WRITTEN ON TAMPER-RESISTANT PRESCRIPTION PADS, WITH EXCEPTIONS; AND FOR OTHER PURPOSES.**

Be it enacted by the General Assembly of the State of South Carolina:

**Tamper-resistant prescription pads**

SECTION 1. Section 44‑53‑360 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

 “( )(1) A written prescription for any Schedule II, III, IV, and V controlled substance must be written on tamper‑resistant prescription pads which contain one or more industry‑recognized features designed to prevent all of the following:

 (A) unauthorized copying of a completed or blank prescription form;

 (B) erasure or modification of information written on the prescription by the prescriber; and

 (C) use of counterfeit prescription forms.

 (2) Prescription orders transmitted by facsimile, orally, or electronically are exempt from the tamper‑resistant prescription pad requirements of this section.

 (3) The tamper‑resistant prescription pad requirements do not apply to refill prescriptions of an original written prescription that was presented to a pharmacy before the effective date of this act.

 (4) The exceptions set forth in Section 1927(k)(3) of the Social Security Act, 42 U.S.C. Section 1396r‑8(k)(3), concerning nursing facilities, hospitals, and other institutional and clinical settings, are exempt from the tamper‑resistant prescription pad requirements of this section.

 (5) If a written prescription is not submitted on a tamper‑resistant prescription form meeting the requirements of this section, a pharmacy may fill the prescription in full as written on an emergency basis as long as the pharmacy receives a verbal, facsimile, electronic, or compliant written prescription from the prescriber within seventy‑two hours after the date on which the prescription was filled.”

**Time effective**

SECTION 2. This act takes effect sixty days after approval by the Governor.

Ratified the 14th day of May, 2018.

Approved the 17th day of May, 2018.

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