

113TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend the Controlled Substances Act to treat as dispensing the delivery of a controlled substance by a pharmacy to a practitioner, pursuant to a patient-specific prescription of the practitioner, under certain circumstances.

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IN THE SENATE OF THE UNITED STATES

Mr. BROWN (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Controlled Substances Act to treat as dispensing the delivery of a controlled substance by a pharmacy to a practitioner, pursuant to a patient-specific prescription of the practitioner, under certain circumstances.

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 “Ensuring Safe Access  
5 to Prescription Medication Act of 2014”.

1 **SEC. 2. DELIVERY OF CONTROLLED SUBSTANCES BY A**  
2 **PHARMACY TO A PRACTITIONER PURSUANT**  
3 **TO A PATIENT-SPECIFIC PRESCRIPTION.**

4 Section 102(10) of the Controlled Substances Act (21  
5 U.S.C. 802(10)) is amended—

6 (1) by striking “(10) The term ‘dispense’  
7 means to deliver” and inserting the following:

8 “(10)(A) The term ‘dispense’ means—

9 “(i) to deliver”;

10 (2) by striking “The term ‘dispenser’ means a  
11 practitioner” and inserting the following:

12 “(B) The term ‘dispenser’ means a practitioner”;

13 (3) in subparagraph (A), as so designated—

14 (A) by striking the period at the end and  
15 inserting “; or”; and

16 (B) by adding at the end the following:

17 “(ii) to deliver a controlled substance by a phar-  
18 macy to a practitioner, including the packaging, la-  
19 beling, or compounding necessary to prepare the  
20 substance for such delivery, if—

21 “(I) such delivery is pursuant to a patient-  
22 specific prescription of the practitioner; and

23 “(II) the practitioner has deemed that it is  
24 medically necessary, acting in the usual course  
25 of professional practice, for the controlled sub-

1           stance to be administered by the practitioner to  
2           the patient.”; and  
3           (4) in subparagraph (B), as so designated, by  
4           striking “to an ultimate user or research subject”.