

[First Reprint]

**ASSEMBLY, No. 3799**

**STATE OF NEW JERSEY**  
**213th LEGISLATURE**

INTRODUCED MARCH 5, 2009

**Sponsored by:**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington and Camden)**

**Assemblywoman LINDA STENDER**

**District 22 (Middlesex, Somerset and Union)**

**Assemblywoman NILSA CRUZ-PEREZ**

**District 5 (Camden and Gloucester)**

**Assemblywoman ELEASE EVANS**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

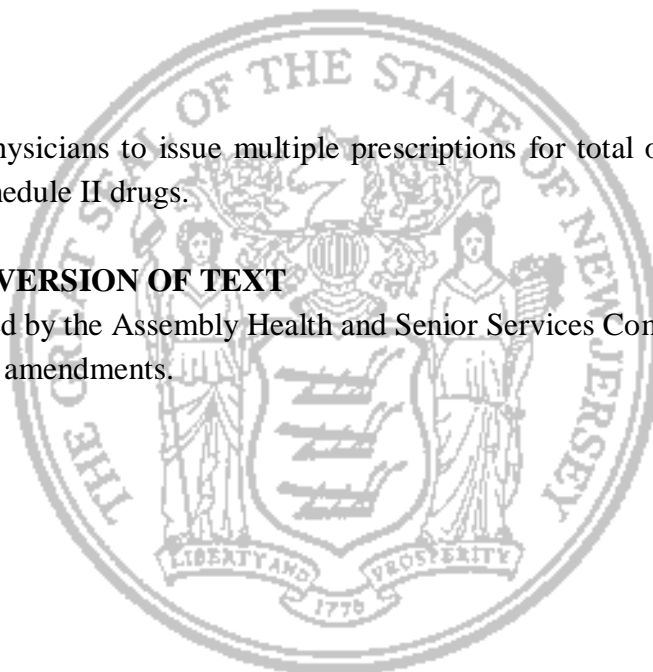
**Assemblyman Connors, Assemblywoman Handlin, Assemblyman Schaer,  
Senators Weinberg, Codey and Turner**

**SYNOPSIS**

Permits physicians to issue multiple prescriptions for total of up to 90-day supply of Schedule II drugs.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Health and Senior Services Committee on May 7, 2009, with amendments.



**(Sponsorship Updated As Of: 6/26/2009)**

1 AN ACT concerning the prescribing of controlled dangerous  
2 substances, and amending P.L.1997, c.249.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 1 of P.L.1997, c. 249 (C.45:9-22.19) is amended to  
8 read as follow:

9 1. a. A physician licensed pursuant to chapter 9 of Title 45 of  
10 the Revised Statutes may prescribe a Schedule II controlled  
11 dangerous substance for the use of a patient in any quantity which  
12 does not exceed a 30-day supply, as defined by regulations adopted  
13 by the State Board of Medical Examiners in consultation with the  
14 Department of Health and Senior Services. The physician shall  
15 document the diagnosis and the medical need for the prescription in  
16 the patient's medical record, in accordance with guidelines  
17 established by the State Board of Medical Examiners.

18 b. A physician may issue multiple prescriptions authorizing the  
19 patient to receive a total of up to a 90-day supply of a Schedule II  
20 controlled dangerous substance, provided that the following  
21 conditions are met:

22 (1) each separate prescription is issued for a legitimate medical  
23 purpose by the physician acting in the usual course of professional  
24 practice;

25 (2) the physician provides written instructions on each  
26 prescription, other than the first prescription if it is to be filled  
27 immediately, indicating the earliest date on which a pharmacy may  
28 fill each prescription;

29 (3) the physician determines that providing the patient with  
30 multiple prescriptions in this manner does not create an undue risk  
31 of diversion or abuse; and

32 (4) the physician complies with all other applicable State and  
33 federal laws <sup>1</sup>and regulations<sup>1</sup> .

34 (cf: P.L.1997, c.249, s.1)

35  
36 2. The State Board of Medical Examiners in consultation with  
37 the Commissioner of Health and Senior Services, pursuant to the  
38 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
39 seq.), shall adopt rules and regulations to effectuate the purposes of  
40 this act.

41  
42 3. This act shall take effect on the first day of the month next  
43 following the date of enactment by 90 days, but the State Board of

**EXPLANATION** – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AHE committee amendments adopted May 7, 2009.

**A3799 [1R] CONAWAY, STENDER**

3

- 1 Medical Examiners may take such anticipatory administrative
- 2 action in advance thereof as shall be necessary for the
- 3 implementation of this act.