

P.L. 2021, CHAPTER 155, *approved July 2, 2021*  
Assembly, No. 5595

1    **AN ACT** concerning opioid antidotes and amending P.L.2006, c.84.

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

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6        1. Section 1 of P.L.2006, c.84 (C.45:14-81) is amended to read  
7 as follows:

8        1. a. There is established the "New Jersey Prescription Drug  
9 Retail Price Registry" in the Division of Consumer Affairs in the  
10 Department of Law and Public Safety for the purpose of making  
11 retail price information for the 150 most frequently prescribed  
12 prescription drugs in the State and opioid antidotes readily available  
13 to consumers.

14        (1) For the purpose of establishing the registry, the Director of  
15 the Division of Consumer Affairs, in consultation with the  
16 Commissioners of Human Services and Health and Senior  
17 Services, shall obtain drug retail price information for these  
18 prescription drugs, which indicates the actual price to be paid to a  
19 pharmacy by a retail purchaser for a listed drug at the listed dosage,  
20 from data collected by the Division of Medical Assistance and  
21 Health Services in the Department of Human Services or other  
22 available sources that includes the charge for the cost of the  
23 medication and the dispensing fee, and does not exceed the usual  
24 and customary or posted or advertised charge by the pharmacy. The  
25 establishment of the registry shall be subject to any federal approval  
26 that may be required to effectuate the purposes of this act and shall  
27 conform with any requirements of State or federal law regarding the  
28 confidentiality and use of the information contained therein.

29        (2) The registry shall include the information obtained by the  
30 director pursuant to paragraph (1) of this subsection, and shall be  
31 updated by the division at least weekly to reflect the most current  
32 information obtained by the director.

33        (3) The registry shall be organized by the director in a format  
34 that is conducive to review and comparison by consumers of  
35 prescription drug retail prices charged by pharmacies in each zip  
36 code within the State, and shall include the name and address of  
37 each pharmacy.

38        b. The division shall make available electronically on its  
39 Internet website in English and Spanish the information contained  
40 in the registry, and shall provide the information to consumers upon

**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.

1 request by means of a toll-free telephone service operated by the  
2 division.

3 The information made available on the Internet website shall:

4 (1) be organized to meet the requirements of paragraph (3) of  
5 subsection a. of this section and be designed so that the consumer  
6 may download and print the displayed information;

7 (2) include Internet web links to other governmental information  
8 resources that provide information relating to the regulation of  
9 prescription drugs and State and federal health care coverage and  
10 pharmaceutical assistance programs;

11 (3) include an advisory statement by the division alerting  
12 consumers of the need to tell their health care practitioner and  
13 pharmacist about all the medications they may be taking and to ask  
14 them how to avoid harmful interactions between those drugs, if any;  
15 and

16 (4) contain clearly understandable language that is designed to  
17 assist consumers in understanding the content of, and how to  
18 access, the information made available on the website pursuant to  
19 this section.

20 c. The director may require each pharmacy practice site in the  
21 State to furnish to the director such information as the director  
22 deems necessary to effectuate the provisions of this section.

23 d. The division may contract with a public or private entity for  
24 the purpose of developing, administering, and maintaining the  
25 registry established pursuant to this section. The contract shall  
26 specify the duties and responsibilities of the entity with respect to  
27 the development, administration, and maintenance of the registry.  
28 The division shall monitor the work of the entity to ensure that the  
29 registry is developed, administered, and maintained pursuant to the  
30 requirements of this act.

31 (cf: P.L.2006, c.84, s.1)

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33 2. Section 2 of P.L.2006, c.84 (C.45:14-82) is amended to read  
34 as follows:

35 2. a. The Director of the Division of Consumer Affairs shall  
36 prepare at least annually, and shall make available to each  
37 pharmacy practice site in the State without charge, a list of the 150  
38 most frequently prescribed prescription drugs that includes the  
39 usual dosages prescribed for each drug and a list of opioid  
40 antidotes.

41 b. Each pharmacy practice site in the State shall maintain a  
42 prescription drug retail price list, which contains the names of the  
43 drugs, including opioid antidotes, on the list provided by the  
44 division pursuant to subsection a. of this section and the retail price  
45 for each drug on the list charged at that pharmacy practice site,  
46 including the date of the update of the retail price list, and shall  
47 make the prescription drug retail price list available to customers  
48 upon request.

1 (1) The prescription drug retail price list shall include an  
2 advisory statement prepared by the division alerting consumers of  
3 the need to tell their health care practitioner and pharmacist about  
4 all the medications that they may be taking and to ask them how to  
5 avoid harmful interactions between those drugs, if any.

6 (2) The pharmacy practice site shall post a sign that notifies  
7 customers of the availability of the drug retail price list in a  
8 conspicuous location that is: at or adjacent to the place where  
9 prescriptions are presented for compounding and dispensing; in the  
10 waiting area for customers; or in the area where prescribed drugs  
11 are delivered.

12 c. The provisions of this section shall not be construed to  
13 prevent a pharmacy practice site from changing or charging the  
14 current retail price at any time, provided that the listed price is  
15 updated at least weekly to reflect the new retail price.

16 d. As used in this act, “opioid antidote” means any drug,  
17 regardless of dosage amount or method of administration, which has  
18 been approved by the United States Food and Drug Administration  
19 for the treatment of an opioid overdose, and shall include, but not  
20 be limited to, naloxone hydrochloride in any dosage amount, which  
21 is administered through nasal spray or any other means or methods  
22 approved by the United States Food and Drug Administration.

23 (cf: P.L.2006, c.84, s.1)  
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25 3. This act shall take effect immediately.  
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## 28 STATEMENT

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30 This bill makes the retail price of opioid antidotes readily  
31 available to consumers by including this information in the “New  
32 Jersey Prescription Drug Retail Price Registry” (NJPDRPR).

33 The NJPDRPR was established for the purpose of making up-to-  
34 date retail price information for the 150 most frequently prescribed  
35 prescription drugs in the State readily available to consumers. It  
36 requires the Director of the Division of Consumer Affairs, in  
37 consultation with the Commissioners of Human Services and Health  
38 and Senior Services, to obtain retail price information for certain  
39 prescription drugs, which indicates the actual price to be paid to the  
40 pharmacy by a retail purchaser, and to make that information  
41 available on the internet and by means of a toll-free telephone  
42 service. The registry is organized in a format to allow consumers to  
43 compare prescription drug retail prices charged by pharmacies in  
44 each zip code within the State.

45 This bill includes opioid antidotes on the list of frequently  
46 prescribed prescription drugs.

47 Under current law, the Director of the Division of Consumer  
48 Affairs is required to annually make available to each pharmacy

1 practice site in this State a list of the 150 most frequently prescribed  
2 prescription drugs. In addition, each pharmacy is required to  
3 maintain a prescription drug retail price list, which includes the  
4 names of the drugs included on the NJPDRPR, the retail price for  
5 each drug on the list provided by the Division of Consumer Affairs,  
6 and the retail price for each drug on the list charged at that  
7 pharmacy practice site. The pharmacy is required to post a sign  
8 notifying customers of the availability of the prescription drug retail  
9 price list and to make the list available to customers upon request.

10 This bill includes opioid antidotes on the list of prescription  
11 drugs provided to pharmacies and requires pharmacies to include  
12 opioid antidotes on its prescription drug retail price list available to  
13 customers.

14 Under the bill, “opioid antidotes” is defined as any drug,  
15 regardless of dosage amount or method of administration, which has  
16 been approved by the United States Food and Drug Administration  
17 (FDA) for the treatment of an opioid overdose, and includes  
18 naloxone hydrochloride, commonly known as Narcan.

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23 Requires Division of Consumer Affairs to publish retail price of  
24 certain opioid antidotes.