

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Pharmacy Practice Act is amended by changing
5 Section 16b as follows:

6 (225 ILCS 85/16b)

7 (Section scheduled to be repealed on January 1, 2018)

8 Sec. 16b. Prescription pick up and drop off. Nothing
9 contained in this Act shall prohibit a pharmacist or pharmacy,
10 by means of its employee or by use of a common carrier or the
11 U.S. mail, at the request of the patient, from picking up
12 prescription orders from the prescriber or delivering
13 prescription drugs to the patient or the patient's agent,
14 including an advanced practice nurse, practical nurse, or
15 registered nurse licensed under the Nurse Practice Act, or a
16 physician assistant licensed under the Physician Assistant
17 Practice Act of 1987, who provides hospice services to a
18 hospice patient or who provides home health services to a
19 person, at the residence or place of employment of the person
20 for whom the prescription was issued or at the hospital or
21 medical care facility in which the patient is confined.
22 Conversely, the patient or patient's agent may drop off
23 prescriptions at a designated area. In this Section, "home

1 health services" has the meaning ascribed to it in the Home
2 Health, Home Services, and Home Nursing Agency Licensing Act;
3 and "hospice patient" and "hospice services" have the meanings
4 ascribed to them in the Hospice Program Licensing Act.

5 (Source: P.A. 95-689, eff. 10-29-07.)

6 Section 10. The Illinois Controlled Substances Act is
7 amended by changing Section 302 as follows:

8 (720 ILCS 570/302) (from Ch. 56 1/2, par. 1302)

9 Sec. 302. (a) Every person who manufactures, distributes,
10 or dispenses any controlled substances, or engages in chemical
11 analysis, and instructional activities which utilize
12 controlled substances, or who purchases, stores, or
13 administers euthanasia drugs, within this State or who proposes
14 to engage in the manufacture, distribution, or dispensing of
15 any controlled substance, or to engage in chemical analysis,
16 and instructional activities which utilize controlled
17 substances, or to engage in purchasing, storing, or
18 administering euthanasia drugs, within this State, must obtain
19 a registration issued by the Department of Financial and
20 Professional Regulation in accordance with its rules. The rules
21 shall include, but not be limited to, setting the expiration
22 date and renewal period for each registration under this Act.
23 The Department, any facility or service licensed by the
24 Department, and any veterinary hospital or clinic operated by a

1 veterinarian or veterinarians licensed under the Veterinary
2 Medicine and Surgery Practice Act of 2004 or maintained by a
3 State-supported or publicly funded university or college shall
4 be exempt from the regulation requirements of this Section;
5 however, such exemption shall not operate to bar the University
6 of Illinois from requesting, nor the Department of Financial
7 and Professional Regulation from issuing, a registration to the
8 University of Illinois Veterinary Teaching Hospital under this
9 Act. Neither a request for such registration nor the issuance
10 of such registration to the University of Illinois shall
11 operate to otherwise waive or modify the exemption provided in
12 this subsection (a).

13 (b) Persons registered by the Department of Financial and
14 Professional Regulation under this Act to manufacture,
15 distribute, or dispense controlled substances, or purchase,
16 store, or administer euthanasia drugs, may possess,
17 manufacture, distribute, or dispense those substances, or
18 purchase, store, or administer euthanasia drugs, to the extent
19 authorized by their registration and in conformity with the
20 other provisions of this Article.

21 (c) The following persons need not register and may
22 lawfully possess controlled substances under this Act:

23 (1) an agent or employee of any registered
24 manufacturer, distributor, or dispenser of any controlled
25 substance if he or she is acting in the usual course of his
26 or her employer's lawful business or employment;

1 (2) a common or contract carrier or warehouseman, or an
2 agent or employee thereof, whose possession of any
3 controlled substance is in the usual lawful course of such
4 business or employment;

5 (3) an ultimate user or a person in possession of a
6 controlled substance prescribed for the ultimate user
7 under a lawful prescription of a practitioner, including an
8 advanced practice nurse, practical nurse, or registered
9 nurse licensed under the Nurse Practice Act, or a physician
10 assistant licensed under the Physician Assistant Practice
11 Act of 1987, who provides hospice services to a hospice
12 patient or who provides home health services to a person,
13 or a person in possession of any controlled substance
14 pursuant to a lawful prescription of a practitioner or in
15 lawful possession of a Schedule V substance. In this
16 Section, "home health services" has the meaning ascribed to
17 it in the Home Health, Home Services, and Home Nursing
18 Agency Licensing Act; and "hospice patient" and "hospice
19 services" have the meanings ascribed to them in the Hospice
20 Program Licensing Act;

21 (4) officers and employees of this State or of the
22 United States while acting in the lawful course of their
23 official duties which requires possession of controlled
24 substances;

25 (5) a registered pharmacist who is employed in, or the
26 owner of, a pharmacy licensed under this Act and the

1 Federal Controlled Substances Act, at the licensed
2 location, or if he or she is acting in the usual course of
3 his or her lawful profession, business, or employment.

4 (d) A separate registration is required at each place of
5 business or professional practice where the applicant
6 manufactures, distributes, or dispenses controlled substances,
7 or purchases, stores, or administers euthanasia drugs. Persons
8 are required to obtain a separate registration for each place
9 of business or professional practice where controlled
10 substances are located or stored. A separate registration is
11 not required for every location at which a controlled substance
12 may be prescribed.

13 (e) The Department of Financial and Professional
14 Regulation or the Illinois State Police may inspect the
15 controlled premises, as defined in Section 502 of this Act, of
16 a registrant or applicant for registration in accordance with
17 this Act and the rules promulgated hereunder and with regard to
18 persons licensed by the Department, in accordance with
19 subsection (bb) of Section 30-5 of the Alcoholism and Other
20 Drug Abuse and Dependency Act and the rules and regulations
21 promulgated thereunder.

22 (Source: P.A. 96-219, eff. 8-10-09; 97-126, eff. 7-14-11;
23 97-334, eff. 1-1-12; 97-813, eff. 7-13-12.)