

1 AN ACT relating to the safe disposal of controlled substances.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 218A.170 is amended to read as follows:

- 4 (1) A duly licensed manufacturer, distributor, or wholesaler may sell or distribute  
5 controlled substances, other than samples, to any of the following persons:
- 6 (a) To a manufacturer, wholesaler, or pharmacy;
  - 7 (b) To a practitioner;
  - 8 (c) To the administrator in charge of a hospital, but only for use by or in that  
9 hospital;
  - 10 (d) To a person in charge of a laboratory, but only for use in that laboratory for  
11 scientific and medical research purposes;
  - 12 (e) To a person registered pursuant to the federal controlled substances laws.
- 13 (2) A pharmacist may sell or distribute a controlled substance:
- 14 (a) Pursuant to a prescription that conforms to the requirements of this chapter; or
  - 15 (b) To a person registered pursuant to the federal controlled substances laws.
- 16 (3) ***A pharmacist shall sell or distribute a nontoxic composition for the sequestration***  
17 ***or deactivation and disposal of unused, unwanted, or expired controlled***  
18 ***substances anytime a controlled substance is sold or distributed. The nontoxic***  
19 ***composition must permanently capture the controlled substance.***
- 20 **(4)** A practitioner may:
- 21 (a) Administer, dispense, or prescribe a controlled substance only for a legitimate  
22 medical purpose and in the course of professional practice; or
  - 23 (b) Distribute a controlled substance to a person registered pursuant to the federal  
24 controlled substance laws.
- 25 **(5) A practitioner shall sell or distribute a nontoxic composition for the sequestration**  
26 ***or deactivation and disposal of unused, unwanted, or expired controlled***  
27 ***substances anytime a controlled substance is dispensed or distributed. The***

1        **nontoxic composition must permanently capture the controlled substance.**

2        ~~(6)~~~~(4)~~    All sales and distributions shall be in accordance with KRS 218A.200 and the  
3        federal controlled substances laws, including the requirements governing the use of  
4        order forms.

5        ~~(7)~~~~(5)~~    Possession of or control of controlled substances obtained as authorized by  
6        this section shall be lawful if in the regular course of business, occupation,  
7        profession, employment, or duty of the possessor.