

1 AN ACT relating to hypodermic syringes or needles.

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

3 ➔Section 1. KRS 217.177 is amended to read as follows:

- 4 (1) No person engaged in sales at retail shall display hypodermic syringes or needles in
5 any portion of the place of business which is open or accessible to the public.
- 6 (2) ***Unless being dispensed for use in conjunction with a prescription drug requiring***
7 ***needles for reconstitution or administration,*** every person engaged in sales of
8 hypodermic syringes or needles ***without a hypodermic syringe or needle***
9 ***prescription shall limit the sale to thirty (30) hypodermic syringes or needles per***
10 ***person***~~[at retail shall maintain a bound record in which shall be kept:~~
11 (a) ~~The name of the purchaser; and~~
12 (b) ~~The address of the purchaser; and~~
13 (c) ~~The quantity of syringes or needles purchased; and~~
14 (d) ~~The date of the sale; and~~
15 (e) ~~Planned use of such syringes or needles].~~
- 16 (3) ***Hypodermic syringes or needles may be sold without a prescription to individuals***
17 ***sixteen (16) years of age and older with valid identification providing proof of***
18 ***age.***
- 19 (4) ***Each hypodermic syringe or needle sale shall be accompanied by:***
- 20 (a) ***Physical or electronic information on safe and proper hypodermic syringe***
21 ***and needle disposal;***
- 22 (b) ***Physical or electronic educational and referral information for substance***
23 ***use disorder and treatment;***
- 24 (c) ***A verbal, physical, or electronic offer to provide a naloxone prescription for***
25 ***opioid overdose; and***
- 26 (d) ***A verbal, physical, or electronic offer to provide the purchaser's name and***
27 ***contact information to a local public health substance use disorder outreach***

1 program.

2 (5) Any person authorized to sell hypodermic needles or syringes, licensed medical
 3 professional, hospital, or medical clinic that disposes of used hypodermic syringes
 4 or needles shall render the hypodermic syringes or needles incapable of further
 5 use and ensure proper disposal.

6 (6) Compliance with the requirements for the sale of hypodermic needles or syringes
 7 in this section shall be enforced by the seller and may be inspected during
 8 business hours by any law enforcement officer or an agent or employee of the
 9 Cabinet for Health and Family Services or the Board of Pharmacy who is
 10 engaged in the enforcement of provisions of KRS Chapter 218A related to
 11 prescriptions for and use of controlled substances

12 ~~Said record shall be maintained~~
 13 ~~for a period of two (2) years from the date of the sale and shall be available for~~
 14 ~~inspection during business hours by any law enforcement officer, agent or employee~~
 15 ~~of the Cabinet for Health and Family Services or Board of Pharmacy engaged in the~~
 16 ~~enforcement of KRS Chapter 218A.~~

17 ~~(4) No person shall present false identification or give a false or fictitious name or~~
 18 ~~address in obtaining or attempting to obtain any hypodermic syringe or needle.~~

19 ~~(5) No person engaged in the retail sale of hypodermic syringes or needles shall:~~

20 ~~(a) Fail to keep the records required by this section; or~~

21 ~~(b) Fraudulently alter any record required to be kept by this section; or~~

22 ~~(c) Destroy, before the time period required by this section has elapsed, any~~
 23 ~~record required to be kept by this section; or~~

24 ~~(d) Sell, or otherwise dispose of, any hypodermic syringe to any person who does~~
 25 ~~not present the identification required by this section; or~~

26 ~~(e) Disclose the names in said book except to those required by this section.~~

27 ~~(6) Any physician, other licensed medical person, hospital, or clinic disposing of~~
~~hypodermic syringes or needles shall crush the barrel of same or otherwise render~~

1 ~~the instrument incapable of further use].~~