Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	As Engrossed: H4/6/01		
2	83rd General Assembly	A Bill		
3	Regular Session, 2001	HOUSE BI	ILL 2345	
4		" D . I		
5	By: Representatives Womack, Tr	⁻ ammell, Borhauer		
6	By: Senator Hunter			
7				
8 9		For An Act To Be Entitled		
9 10	AN ACT TO	AUTHORIZE LONG-TERM CARE FACILITIES TO		
10	REDI STRI BUTE THROUGH CHARI TABLE ORGANI ZATI ONS THE			
12	PRESCRIPTION MEDICINES OF DECEASED RESIDENTS; AND			
13	FOR OTHER I			
14	TON OTHER			
15		Subtitle		
16	AN ACT	TO AUTHORIZE LONG-TERM CARE		
17	FACI LI TI	I ES TO REDISTRIBUTE THROUGH		
18	CHARI TAI	BLE ORGANIZATIONS THE		
19	PRESCRI I	PTION MEDICINES OF DECEASED		
20	RESI DEN	TS.		
21				
22				
23	BE IT ENACTED BY THE GENE	ERAL ASSEMBLY OF THE STATE OF ARKANSAS:		
24				
25	SECTION 1. <u>(a)(1)</u>	Notwithstanding any law of this state to the	<u> </u>	
26	contrary, a long-term car	re facility may transfer to a charitable organ	<u>ni zati on</u>	
27	for reuse any prescription	on medicine belonging to a deceased resident i	f that	
28	medicine is packaged in a	<u>an unbroken blister-pack or other substantiall</u>	<u>y</u>	
29	<u>similar <i>package.</i></u>			
30	<u>(2) Medicine</u>	es shall not be transferred under this act un	<u>til at</u>	
31	•	the coroner has been notified of the resident	<u>t's</u>	
32	<u>death.</u>			
33	(3)(A) The charitable organization shall notify the recipient of			
34	the medicines that the medicines are recycled; and			
35		he recipient of the medicine shall acknowledge	<u> </u>	
36	writing that they have be	een notified that the medicines are recycled.		

RTK021

As Engrossed: H4/6/01 HB2345

1	(4) The long-term care facility shall, within forty-five (45)		
2	days of the death of a resident who receives cycle-fill medicines, notify the		
3	pharmacy which supplies each cycle-fill medicine.		
4	(b) Prescription medicines transferred under this act shall not be		
5	sold or offered for sale and may only be given free of charge under a		
6	physician's order.		
7	(c) A long-term care facility or an administrator or employee of a		
8	long-term care facility, who, in good faith, transfers a prescription		
9	medicine under this act and who was acting as a reasonable and prudent person		
10	would have acted in transferring the prescription medicine, shall not be		
11	liable for any civil damages for acts or omissions performed in good faith.		
12	(d)(1) Charitable organizations which, in good faith, and acting as a		
13	reasonable and prudent person would have acted under the circumstances		
14	receives and distributes prescription medicines under this act, shall not be		
15	liable for any civil damages for acts or omissions performed in good faith.		
16	(2) A physician who in good faith, and acting as a reasonable		
17	and prudent person would have acted under the circumstances, writes an order		
18	for the distribution of prescription medicines under this act, shall not be		
19	liable for any civil damages for acts or omissions performed in good faith.		
20	(3) Manufacturers, wholesalers, pharmacists and pharmacies shal		
21	not be liable for any civil damages arising from any defects or alterations		
22	of medicines occurring after the medicines have left the custody or control		
23	of the entity.		
24			
25	/s/ Womack, et al.		
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