

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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SENATE BILL 474  
Judiciary I Committee Substitute Adopted 4/19/11  
Third Edition Engrossed 4/20/11  
House Committee Substitute Favorable 6/15/11

Short Title: Photo ID for Certain Controlled Substances.

(Public)

Sponsors:

Referred to:

March 31, 2011

1 A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT PHARMACIES TO REQUIRE PHOTO IDENTIFICATION PRIOR  
3 TO DISPENSING CERTAIN CONTROLLED SUBSTANCES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 5 of Chapter 90 of the General Statutes is amended by adding  
6 a new section to read:

7 "**§ 90-106.1. Photo ID requirement for Schedule II controlled substances.**

8 (a) Immediately prior to dispensing a Schedule II controlled substance, or any of the  
9 Schedule III controlled substances listed in subdivisions 1. through 8. of G.S. 90-91(d), each  
10 pharmacy holding a valid permit pursuant to G.S. 90-85.21 shall require the person seeking the  
11 dispensation to present one of the following valid, unexpired forms of government-issued  
12 photographic identification: (i) a drivers license, (ii) a special identification card issued under  
13 G.S. 20-37.7, (iii) a military identification card, or (iv) a passport. Upon presentation of the  
14 required photographic identification, the pharmacy shall document the name of the person  
15 seeking the dispensation, the type of photographic identification presented by the person  
16 seeking the dispensation, and the photographic identification number. The pharmacy shall  
17 retain this identifying information on the premises or at a central location apart from the  
18 premises as part of its business records for a period of three years following dispensation.

19 (b) The pharmacy shall make the identifying information available to any person  
20 authorized under G.S. 90-113.74 to receive prescription information data in the controlled  
21 substances reporting system within 72 hours after a request for the identifying information. A  
22 pharmacy that submits the identifying information required under this section to the controlled  
23 substances reporting system established and maintained pursuant to G.S. 90-113.73 is deemed  
24 in compliance with this subsection.

25 (c) Nothing in this section shall be deemed to require that the person seeking the  
26 dispensation and the person to whom the prescription is issued be the same person, and nothing  
27 in this section shall apply to the dispensation of controlled substances to employees of "health  
28 care facilities", as that term is defined in G.S. 131E-256(b), when the controlled substances are  
29 delivered to the health care facilities for the benefit of residents or patients of such health care  
30 facilities."

31 **SECTION 2.** This act becomes effective March 1, 2012.

