

SECOND REGULAR SESSION

SENATE BILL NO. 1580

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BEAN.

6781S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 195.070, RSMo, and to enact in lieu thereof one new section relating to the ordering and administration of ketamine for mental health purposes.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 195.070, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 195.070,
3 to read as follows:

195.070. 1. A physician, podiatrist, dentist, a
2 registered optometrist certified to administer
3 pharmaceutical agents as provided in section 336.220, or an
4 assistant physician in accordance with section 334.037 or a
5 physician assistant in accordance with section 334.747 in
6 good faith and in the course of his or her professional
7 practice only, may prescribe, administer, and dispense
8 controlled substances or he or she may cause the same to be
9 administered or dispensed by an individual as authorized by
10 statute.

11 2. An advanced practice registered nurse, as defined
12 in section 335.016, but not a certified registered nurse
13 anesthetist as defined in subdivision (8) of section
14 335.016, who holds a certificate of controlled substance
15 prescriptive authority from the board of nursing under
16 section 335.019 and who is delegated the authority to
17 prescribe controlled substances under a collaborative

18 practice arrangement under section 334.104 may prescribe any
19 controlled substances listed in Schedules III, IV, and V of
20 section 195.017, and may have restricted authority in
21 Schedule II. Prescriptions for Schedule II medications
22 prescribed by an advanced practice registered nurse who has
23 a certificate of controlled substance prescriptive authority
24 are restricted to only those medications containing
25 hydrocodone and Schedule II controlled substances for
26 hospice patients pursuant to the provisions of section
27 334.104. However, no such certified advanced practice
28 registered nurse shall prescribe controlled substance for
29 his or her own self or family. Schedule III narcotic
30 controlled substance and Schedule II - hydrocodone
31 prescriptions shall be limited to a one hundred twenty-hour
32 supply without refill.

33 3. A veterinarian, in good faith and in the course of
34 the veterinarian's professional practice only, and not for
35 use by a human being, may prescribe, administer, and
36 dispense controlled substances and the veterinarian may
37 cause them to be administered by an assistant or orderly
38 under his or her direction and supervision.

39 4. A practitioner shall not accept any portion of a
40 controlled substance unused by a patient, for any reason, if
41 such practitioner did not originally dispense the drug,
42 except:

43 (1) When the controlled substance is delivered to the
44 practitioner to administer to the patient for whom the
45 medication is prescribed as authorized by federal law.
46 Practitioners shall maintain records and secure the
47 medication as required by this chapter and regulations
48 promulgated pursuant to this chapter; or

49 (2) As provided in section 195.265.

50 5. An individual practitioner shall not prescribe or
51 dispense a controlled substance for such practitioner's
52 personal use except in a medical emergency.

53 **6. Notwithstanding any provision of law to the
54 contrary:**

55 (1) A physician licensed pursuant to chapter 334 shall
56 not delegate to any other individual the authority to order
57 ketamine hydrochloride for mental health purposes under the
58 physician's registration with the federal Drug Enforcement
59 Administration and the state bureau of narcotics and
60 dangerous drugs;

61 (2) A physician licensed pursuant to chapter 334 who
62 delegates the administration of ketamine hydrochloride for
63 mental health purposes to a certified registered nurse
64 anesthetist shall be on site and immediately available to
65 supervise and respond to patient needs during such
66 administration; and

67 (3) Intravenous ketamine hydrochloride treatment for
68 mental health purposes shall not be administered without a
69 documented diagnosis and treatment plan from a physician
70 licensed under chapter 334.

✓