

By: Representative Warren

To: Judiciary A

HOUSE BILL NO. 319

1 AN ACT TO AUTHORIZE PHYSICIANS TO PRESCRIBE MERIDIA
2 (SIBUTRAMINE HYDROCHLORIDE MONOHYDRATE) WITHOUT RESTRICTIONS; TO
3 AMEND SECTION 41-29-137, MISSISSIPPI CODE OF 1972, IN CONFORMITY
4 THERETO; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. No laws, rules or regulations shall restrict or
7 infringe upon the ability of a duly licensed Mississippi physician
8 to treat obese patients by prescribing for them Meridia
9 (sibutramine hydrochloride monohydrate) as approved by the United
10 States Food and Drug Administration for weight reduction and
11 maintenance of weight loss. Pharmacotherapy for obese patients
12 shall be available as part of a comprehensive weight control
13 program which includes diet, exercise and behavior modification.

14 SECTION 2. Section 41-29-137, Mississippi Code of 1972, is
15 amended as follows:

16 41-29-137. (a) Except when dispensed directly by a
17 practitioner, other than a pharmacy, to an ultimate user, no
18 controlled substance in Schedule II, as set out in Section
19 41-29-115, may be dispensed without the written prescription of a
20 practitioner. A practitioner shall keep a record of all
21 controlled substances in Schedule I, II and III administered,
22 dispensed or professionally used by him otherwise than by
23 prescription.

24 In emergency situations, as defined by rule of the State
25 Board of Pharmacy, said Schedule II drugs may be dispensed upon
26 oral prescription of a practitioner, reduced promptly to writing
27 and filed by the pharmacy. Prescriptions shall be retained in

28 conformity with the requirements of Section 41-29-133. No
29 prescription for a Schedule II substance may be refilled unless
30 renewed by prescription issued by a licensed medical doctor.

31 (b) Except when dispensed directly by a practitioner,
32 other than a pharmacy, to an ultimate user, a controlled substance
33 included in Schedule III or IV, as set out in Sections 41-29-117
34 and 41-29-119, which is a prescription drug as determined under
35 Federal Control Substance Act, shall not be dispensed without a
36 written or oral prescription of a practitioner. Except as
37 otherwise provided by Section 1 of this act, the prescription
38 shall not be filled or refilled more than six (6) months after the
39 date thereof or be refilled more than five (5) times, unless
40 renewed by the practitioner.

41 (c) A controlled substance included in Schedule V, as
42 set out in Section 41-29-121, shall not be distributed or
43 dispensed other than for a medical purpose.

44 SECTION 3. Section 1 of this act shall be codified in
45 Chapter 29 of Title 41, Mississippi Code of 1972.

46 SECTION 4. This act shall take effect and be in force from
47 and after its passage.

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