



SPONSOR: Sen. Sorenson & Rep. Maier

Sens. Blevins, Cloutier, Connor, McDowell, Peterson; Reps.
Buckworth, Carey, Ennis, Ewing, Fallon, Hudson, Miro, Plant,
Valihura

DELAWARE STATE SENATE

143rd GENERAL ASSEMBLY

SENATE BILL NO. 48
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PRESCRIPTIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 5, Title 24, Delaware Code by inserting therein the following:

“§518A. Prescription Requirements.

No written prescription shall be prescribed if it does not contain the following information clearly written, clearly hand printed, electronically printed, or typed:

- (1) the name, address and phone number of the prescriber;
- (2) the name and strength of the drug prescribed;
- (3) the quantity of the drug prescribed;
- (4) the directions for use of the drug;
- (5) date of issue.”.

Section 2. Amend Chapter 11, Title 24, Delaware Code by inserting therein the following:

“§1137. Prescription Requirements.

No written prescription shall be prescribed if it does not contain the following information clearly written, clearly hand printed, electronically printed, or typed:

- (1) the name, address and phone number of the prescriber;
- (2) the name and strength of the drug prescribed;
- (3) the quantity of the drug prescribed;
- (4) the directions for use of the drug;

(5) date of issue.”.

Section 3. Amend §1731(b), Title 24, Delaware Code by deleting the period at the end of paragraph (20) thereof and inserting in lieu thereof a semicolon and by adding thereto the following:

“(21) A violation of §1764A of this Chapter.”.

Section 4. Amend Chapter 17, Title 24, Delaware Code by inserting therein the following:

“§1764A. Prescription Requirements.

No written prescription shall be prescribed if it does not contain the following information clearly written, clearly hand printed, electronically printed, or typed:

- (1) the name, address and phone number of the prescriber;
- (2) the name and strength of the drug prescribed;
- (3) the quantity of the drug prescribed;
- (4) the directions for use of the drug;
- (5) date of issue.”.

Section 5. Amend §1766(a), Title 24, Delaware Code by inserting between “except” and “as” as they appear therein the following:

“§1764A of this Chapter or”.

Section 6. Amend Chapter 19, Title 24, Delaware Code by inserting therein the following:

“§1927. Prescription Requirements.

No written prescription shall be prescribed if it does not contain the following information clearly written, clearly hand printed, electronically printed, or typed:

- (1) the name, address and phone number of the prescriber;
- (2) the name and strength of the drug prescribed;
- (3) the quantity of the drug prescribed;
- (4) the directions for use of the drug;
- (5) date of issue.”.

Section 7. Amend Chapter 21, Title 24, Delaware Code by inserting therein the following:

“§2122. Prescription Requirements.

No written prescription shall be prescribed if it does not contain the following information clearly written, clearly hand printed, electronically printed, or typed:

- (1) the name, address and phone number of the prescriber;
- (2) the name and strength of the drug prescribed;
- (3) the quantity of the drug prescribed;
- (4) the directions for use of the drug;
- (5) date of issue.”.

Section 8. Amend Chapter 33, Title 24, Delaware Code by inserting therein the following:

“§3318. Prescription Requirements.

No written prescription shall be prescribed if it does not contain the following information clearly written, clearly hand printed, electronically printed, or typed:

- (1) the name, address and phone number of the prescriber;
- (2) the name and strength of the drug prescribed;
- (3) the quantity of the drug prescribed;
- (4) the directions for use of the drug;
- (5) date of issue.”.

Section 9. Amend §2513, Title 24, Delaware Code by relettering subsections ‘(d)’ and ‘(e)’ as ‘(e)’ and ‘(f)’ respectively and by inserting a new (d) to read as follows:

“(d) No person who has been issued a certificate as a pharmacist within the meaning of this chapter shall fail to dispense a prescription because it is not clearly written and/or lacks information required by Title 24 without first making a reasonable effort to contact the practitioner who issued the prescription to gather the clear and complete information.”

Section 10. This Act shall become effective upon enactment into law, but there shall not be sanctions for violations thereof for 6 months after enactment into law to allow dissemination of the Act’s requirements.