

75LSO 518

SENATE FILE 115

SENATE FILE 115

Title: AN ACT to amend W.S. 35-347.2(d), (t)(1), 35-347.5, 35-347.24(a), 35-347.26(a) and 35-347.30(d) relating to the Wyoming Controlled Substances Act; changing the name of the administrative assistant; extending the exemptions provided by the act to include podiatrist; specifying the date upon which registrants must register and providing a penalty and cancellation for failure to register; providing additional grounds for revocation of registration; and providing that no controlled substance may be prescribed or dispensed for other than an acceptable medical indication.

Sponsored by: J. W. Meyers

DATE	ACTION	DATE	ACTION
JAN 21 1975	Introduced	FEB 8 1975	Reported from Senate
JAN 21 1975	Read first time		Time
JAN 22 1975	Referred to Comm. No. 4		Referred to Comm. No. 4
JAN 21 1975	Delivered to Printing Com.		Delivered to Comm. No. 4
JAN 22 1975	Returned from Printing Com.	FEB 20 1975	RETURNED
JAN 22 1975	Delivered to Comm. No. 4		RECOMMENDED DO PASS
FEB 5 1975			PLACED ON GENERAL FILE
		FEB 25 1975	CONSIDERED IN COM. OF WHOLE
			COM. OF WHOLE Amendment
FEB 5 1975	COM. RECOMMENDATION AMEND AND DO PASS		ADOPTED
FEB 5 1975	CONSIDERED IN COM. OF WHOLE		Amended as follows
	AMENDED AS FOLLOWS SF/ISSI-A		ADOPTED
	DO PASS	FEB 28 1975	RECOMMENDED DO PASS
FEB 6 1975	READ SECOND TIME	FEB 28 1975	READ SECOND TIME
FEB 7 1975	READ THIRD TIME	FEB 27 1975	Read Third Time
	PASSED		PASSED
	29 Yeas 0 Excused 1 Absent 0		Ayes 29 Noes 0 Excused 1 Absent 0
	SENT TO HOUSE	MAR 1 1975	Received Amended
FEB 7 1975	RECEIVED FROM SENATE		Senate did Concur on House Amendment
	SENT TO LSO FOR ENGROSSING		28 Yeas 0 Excused 2 Absent 0
	RECEIVED FROM LSO ENGROSSED		Delivered to Enrolling Section
2-7-75	ENGROSSED		SF 115 SEA 69
2-8-75	Sent to House	3/1/75	SIGNED BY PRESIDENT
			SIGNED BY SPEAKER
		3/12/75	APPROVED BY GOVERNOR
			CHAPTER NO. 122 SESSION LAWS OF WYOMING
			SF 115 AD

CONTINUED ON BACK

98115 3rd Date 7/2

Roll Call of the Senate

of the FORTY-THIRD LEGISLATURE

Of Wyoming

	EXCUSED	ABSENT	AYES	NOES
31 BOYLE			✓	
30 CHRISTENSEN			✓	
29 CUNDALL			✓	
28 DAILY			✓	
27 DAVIS			✓	
26 GEIS			✓	
25 HITCHCOCK			✓	
24 JOHNSON			✓	
23 KENDIG			✓	
22 KIMBALL			✓	
21 LEIMBACK			✓	
20 MADSEN			✓	
19 MAJHANOVICH			✓	
18 MOORE			✓	
17 MYERS				
16 NICHOLS			✓	
15 NORRIS			✓	
14 NORTHRUP			✓	
13 NOTT			✓	
12 NOVOTNY			✓	
11 OSTLUND			✓	
10 RECTOR			✓	
9 ROGERS			✓	
8 SADLER			✓	
7 SEARL	✓			
6 SEDAR			✓	
5 STAFFORD			✓	
4 TAGGART			✓	
3 TURNER			✓	
2 WALLOP			✓	
1 MR. PRESIDENT			✓	

PRESENT..... AYES 29
 NOES 1
 EXCUSED 1
 ABSENT
 TOTAL 31
 LESS 3

5615 120 cedar Date 3/1

Roll Call of the Senate

of the FORTY-THIRD LEGISLATURE

Of Wyoming

	EXCUSED	ABSENT	AYES	NOES
31 BOYLE			✓	
30 CHRISTENSEN			✓	
29 CUNDALL			✓	
28 DAILY			✓	
27 DAVIS			✓	
26 GEIS			✓	
25 HITCHCOCK	✓		✓	
24 JOHNSON			✓	
23 KENDIG			✓	
22 KIMBALL			✓	
21 LEIMBACK	✓		✓	
20 MADSEN			✓	
19 MAJHANOVICH			✓	
18 MOORE			✓	
17 MYERS				
16 NICHOLS			✓	
15 NORRIS			✓	
14 NORTHRUP			✓	
13 NOTT			✓	
12 NOVOTNY			✓	
11 OSTLUND			✓	
10 RECTOR			✓	
9 ROGERS			✓	
8 SADLER			✓	
7 SEARL			✓	
6 SEDAR			✓	
5 STAFFORD			✓	
4 TAGGART			✓	
3 TURNER			✓	
2 WALLOP			✓	
1 MR. PRESIDENT			✓	

PRESENT..... AYES28.....
 NOES
 EXCUSED2.....
 ABSENT
 TOTAL
 LESS

63 115Thiel ReedyDate 2-27-75

Roll Call of the House

of the
FORTY-THIRD LEGISLATURE
Of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNEY	✓				28 McMILLAN	✓			
62 BOUCHER	✓				27 MEENAN	✓			
61 BUCK	✓				26 MOCKLER	✓			
60 BURNETT			✓		25 MORTON	✓			
59 BUTTERFIELD	✓				24 O'NEIL	✓			
58 CHASTEEN	✓				23 ORRISON			✓	
57 COFFMAN	✓				22 OSLUND	✓			
56 COPENHAVER	✓				21 PARKS	✓			
55 CRANFILL	✓				20 PETERAL	✓			
54 CREWS	✓				19 PROFFIT	✓			
53 CROSS	✓				18 PROSSER	✓			
52 CURRY	✓				17 ROTH	✓			
51 DONLEY	✓				16 SALISBURY	✓			
50 DOWNING	✓				15 SCHWOPE	✓			
49 EDWARDS	✓				14 SCOTT	✓			
48 ENGEN	✓				13 SIDI	✓			
47 ESKENS		✓			12 SIMPSON	✓			
46 FLEISCHLI	✓				11 SMITH	✓			
45 FRISBY	✓				10 SMYTH	✓			
44 GEESEY	✓				9 STEWART	✓			
43 A. GRAHAM	✓				8 TRUE	✓			
42 L. GRAHAM	✓				7 URBIGKIT	✓			
41 HANSEN	✓				6 VAN VELZOR	✓			
40 HELLBAUM					5 VINICH	✓			
39 HOLLAND	✓				4 WILKINS	✓			
38 HUNTER	✓				3 ZIMMER	✓			
37 HURSH	✓				2 ZUMBRUNNEN	✓			
36 JENNINGS	✓				1 MR. SPEAKER	✓			
35 JENSEN	✓								
34 JOHNSON	✓								
33 JONES	✓								
32 KINNAMAN	✓								
31 LEEDY	✓								
30 McCARTHY	✓								
29 McDANIEL	✓								

PRESENT.....

AYES59.....

NOES1.....

EXCUSED2.....

ABSENT

TOTAL

LESS

S. 9115

✓ SF115HW1/A

✓ Page 1, line 1 After "(d)," insert "(t)(i),".

✓ Page 1, line 4 After "semicolon" insert "extending the exemptions provided by the act to include podiatrist;"

✓ Page 1, line 13 After "(d)," insert "(t)(i),".

Page 2, between lines 2 and 3 - Insert:

Insert #1 ["(t) "Practitioner" means:

(i) A physician, dentist, veterinarian, PODIATRIST, scientific investigator, or other person licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research in this state;". -- SIMPSON *SJS*

*proofed
sk/en*

✓ SF115HW2/A

Page 1, line 8 Strike entire line.
line 9 Strike "~~dependent-person,--and--that~~". --
SIDI

JH

*2-24
JH
JH*

SF 115

SF115381/A

- ✓ Page 1, line 9 / Insert "and" before "that".
- ✓ Page 1, line 10 / Delete "a medical purpose," and insert "an acceptable medical indication."; delete the balance of the line.
- ✓ Page 1, line 11 / Delete the entire line.
- ✓ Page 4, line 3 / After the word "HAS" insert "WILLFULLY".
- ✓ Page 4, line 13 / Delete entire line.
- ✓ Page 4, line 14 / Delete entire line.
- ✓ Page 4, line 15 / Delete line through the period.
- ✓ Page 4, line 17 / Delete "A" and insert "AN ACCEPTABLE"; delete "PURPOSE" and insert "INDICATION".
- ✓ Page 4 / Delete lines 18, 19 and 20. -Northrup

1975

STATE OF WYOMING

75LSO-518/eng

SENATE FILE NO. 115

Controlled Substances Act.

Sponsored by: Senator MYERS

A BILL

for

1 AN ACT to amend W.S. 35-347.2(d), 35-347.5, 35-347.24(a),
2 35-347.26(a) and 35-347.30(d) relating to the Wyoming Con-
3 trolled Substances Act; changing the name of the adminis-
4 trative assistant; specifying the date upon which regis-
5 trants must register and providing a penalty and cancel-
6 lation for failure to register; providing additional
7 grounds for revocation of registration; and providing that
8 no practitioner may maintain an addiction of a drug
9 dependent person, and that no controlled substance may be
10 prescribed or dispensed for other than an acceptable medi-
11 cal indication.

12 Be It Enacted by the Legislature of the State of Wyoming:

13 Section 1. W.S. 35-347.2(d), 35-347.5, 35-347.24(a),
14 35-347.26(a) and 35-347.30(d) are amended to read:

15 35-347.2. Definitions. As used in this act:

16 (d) "Controlled substance" means a drug, substance,

1 or immediate precursor in schedules I through V of article
2 ~~II~~ III;

3 35-347.5. Advisory board on drugs and substances
4 control. There is hereby established an advisory board on
5 drugs and substances control for the purpose of assisting
6 and advising the commissioner of drugs and substances con-
7 trol in carrying out the functions of his office. The
8 members of ~~such~~ THE advisory board shall receive no
9 compensation for their services except ~~that-they-shall~~
10 ~~receive~~ travel expenses and per diem in the same manner
11 and amount as employees of the state of Wyoming. The
12 advisory board ~~shall-consist~~ CONSISTS of the director of
13 the division of public health, department of health and
14 social services, and the ~~administrative--assistant--to~~
15 EXECUTIVE DIRECTOR AND SENIOR INSPECTOR OF the Wyoming
16 state board of pharmacy. In addition to any other duties
17 imposed upon ~~such~~ THE advisory board by this or any other
18 act, it ~~shall-be~~ IS the duty of ~~such~~ THE board to advise
19 the commissioner of drugs and substances control as to
20 which substances shall be declared controlled drugs and
21 substances subjected to the controls provided by law.

22 35-347.24. Registration requirements.

23 (a) Every person who manufactures, distributes, or

1 dispenses any controlled substance within this state or
2 who proposes to engage in the manufacture, distribution,
3 or dispensing of any controlled substance within this
4 state, must obtain annually, ON OR BEFORE JULY 1, a regis-
5 tration issued by the board in accordance with its rules.
6 ANY REGISTRANT WHO FAILS TO RENEW HIS REGISTRATION BY SEP-
7 TEMBER 30 OF EACH CALENDAR YEAR SHALL BE PENALIZED IN THE
8 AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00). IF THE FAILURE TO
9 RENEW CONTINUES PAST DECEMBER 31 OF THE CALENDAR YEAR, THE
10 REGISTRATION SHALL BE CANCELLED AND THE BUREAU NOTIFIED
11 FOR CANCELLATION OF THE REGISTRANT'S FEDERAL REGISTRATION.

12 35-347.26. Suspension or revocation of registration.

13 (a) A registration under ~~section-25~~ W.S. 35-347.25
14 to manufacture, distribute, or dispense a controlled sub-
15 stance may be suspended or revoked by the board upon a
16 finding that the registrant:

17 ~~{1}~~ (i) Has furnished false or fraudulent mate-
18 rial information in any application filed under this act;

19 ~~{2}~~ (ii) Has been convicted of a felony OR MIS-
20 DEMEANOR INVOLVING MORAL TURPITUDE under any state or fed-
21 eral law relating to any controlled substance; or

22 ~~{3}~~ (iii) Has had his federal registration sus-

1 pended or revoked to manufacture, distribute, or dispense
2 controlled substances;

3 (iv) HAS WILLFULLY VIOLATED ANY OF THE PROVI-
4 SIONS OF THIS ACT, OR ANY RULES OR REGULATIONS RELATING TO
5 CONTROLLED SUBSTANCES; OR

6 (v) HAS FAILED TO PROVIDE ADEQUATE SECURITY
7 FOR THE STORAGE OF CONTROLLED SUBSTANCES TO THE EXTENT
8 THAT REPEATED DIVERSIONS HAVE OCCURRED.

9 35-347.30. Prescriptions required in certain
10 instances.

11 (d) ~~A--controlled--substance--included-in-Schedule-V~~
12 ~~shall-not-be-distributed-or-dispensed--other--than--for--a~~
13 ~~medical-purpose.~~ NO CONTROLLED SUBSTANCES INCLUDED IN ANY
14 SCHEDULE MAY BE DISTRIBUTED OR DISPENSED FOR OTHER THAN AN
15 ACCEPTABLE MEDICAL INDICATION.

16 Section 2. This act is effective ninety (90) days
17 after adjournment of the session of the legislature at
18 which it was enacted.

19 (END)

1975


STATE OF WYOMING

75LSO-518.01

SENATE FILE NO. 115

Controlled Substances Act.

Sponsored by: Senator MYERS



A BILL

for

1 AN ACT to amend W.S. 35-347.2(d), 35-347.5, 35-347.24(a),
2 35-347.26(a) and 35-347.30(d) relating to the Wyoming Con-
3 trolled Substances Act; changing the name of the adminis-
4 trative assistant; specifying the date upon which regis-
5 trants must register and providing a penalty and cancel-
6 lation for failure to register; providing additional
7 grounds for revocation of registration; and providing that
8 no practitioner may maintain an addiction of a drug
9 dependent person, that no controlled substance may be pre-
10 scribed or dispensed for other than a medical purpose, and
11 that a bonafide physician-patient relationship must exist.

12 Be It Enacted by the Legislature of the State of Wyoming:

13 Section 1. W.S. 35-347.2(d), 35-347.5, 35-347.24(a),
14 35-347.26(a) and 35-347.30(d) are amended to read:

15 35-347.2. Definitions. As used in this act:

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4 control. There is hereby established an advisory board on
5 drugs and substances control for the purpose of assisting
6 and advising the commissioner of drugs and substances con-
7 trol in carrying out the functions of his office. The
8 members of ~~such~~ THE advisory board shall receive no
9 compensation for their services except ~~that--they--shall~~
10 ~~receive~~ travel expenses and per diem in the same manner
11 and amount as employees of the state of Wyoming. The
12 advisory board ~~shall-consist~~ CONSISTS of the director of
13 the division of public health, department of health and
14 social services, and the ~~administrative--assistant--to~~
15 EXECUTIVE DIRECTOR AND SENIOR INSPECTOR OF the Wyoming
16 state board of pharmacy. In addition to any other duties
17 imposed upon ~~such~~ THE advisory board by this or any other
18 act, it ~~shall-be~~ IS the duty of ~~such~~ THE board to advise
19 the commissioner of drugs and substances control as to
20 which substances shall be declared controlled drugs and
21 substances subjected to the controls provided by law.

22 35-347.24. Registration requirements.

23 (a) Every person who manufactures, distributes, or

1 dispenses any controlled substance within this state or
2 who proposes to engage in the manufacture, distribution,
3 or dispensing of any controlled substance within this
4 state, must obtain annually, ON OR BEFORE JULY 1, a regis-
5 tration issued by the board in accordance with its rules.
6 ANY REGISTRANT WHO FAILS TO RENEW HIS REGISTRATION BY SEP-
7 TEMBER 30 OF EACH CALENDAR YEAR SHALL BE PENALIZED IN THE
8 AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00). IF THE FAILURE TO
9 RENEW CONTINUES PAST DECEMBER 31 OF THE CALENDAR YEAR, THE
10 REGISTRATION SHALL BE CANCELLED AND THE BUREAU NOTIFIED
11 FOR CANCELLATION OF THE REGISTRANT'S FEDERAL REGISTRATION.

12 35-347.26. Suspension or revocation of registration.

13 (a) A registration under ~~section-25~~ W.S. 35-347.25
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15 stance may be suspended or revoked by the board upon a
16 finding that the registrant:

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18 rial information in any application filed under this act;

19 ~~(2)~~ (ii) Has been convicted of a felony OR MIS-
20 DEMEANOR INVOLVING MORAL TURPITUDE under any state or fed-
21 eral law relating to any controlled substance; or

22 ~~(3)~~ (iii) Has had his federal registration sus-

1 pended or revoked to manufacture, distribute, or dispense
2 controlled substances;

3 (iv) HAS VIOLATED ANY OF THE PROVISIONS OF
4 THIS ACT, OR ANY RULES OR REGULATIONS RELATING TO CONTROL-
5 LED SUBSTANCES; OR

6 (v) HAS FAILED TO PROVIDE ADEQUATE SECURITY
7 FOR THE STORAGE OF CONTROLLED SUBSTANCES TO THE EXTENT
8 THAT REPEATED DIVERSIONS HAVE OCCURRED.

9 35-347.30. Prescriptions required in certain
10 instances.

11 ~~(d) A--controlled--substance--included-in-Schedule-V~~
12 ~~shall-not-be-distributed-or-dispensed--other--than--for--a~~
13 ~~medical--purpose.~~ NO PRACTITIONER SHALL PRESCRIBE OR DIS-
14 PENSE ANY CONTROLLED SUBSTANCE FOR THE PURPOSE OF MAIN-
15 TAINING THE ADDICTION OF A DRUG DEPENDENT PERSON. NO CON-
16 TROLLED SUBSTANCES INCLUDED IN ANY SCHEDULE MAY BE DIS-
17 TRIBUTED OR DISPENSED FOR OTHER THAN A MEDICAL PURPOSE.
18 NO PRACTITIONER SHALL PRESCRIBE OR DISPENSE ANY CONTROLLED
19 SUBSTANCE OUTSIDE OF A BONAFIDE PHYSICIAN-PATIENT RELA-
20 TIONSHIP.

1 Section 2. This act is effective ninety (90) days
2 after adjournment of the session of the legislature at
3 which it was enacted.

4 (END)