

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Pharmacy Practice Act is amended by
5 changing Section 16b as follows:

6 (225 ILCS 85/16b)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 16b. Prescription pick up and drop off. Nothing
9 contained in this Act shall prohibit a pharmacist or pharmacy,
10 by means of its employee or by use of a common carrier or the
11 U.S. mail, at the request of the patient, from picking up
12 prescription orders from the prescriber or delivering
13 prescription drugs to the patient or the patient's agent,
14 including any authorized employee of an organization that an
15 ~~advanced practice registered nurse, practical nurse, or~~
16 ~~registered nurse licensed under the Nurse Practice Act, or a~~
17 ~~physician assistant licensed under the Physician Assistant~~
18 ~~Practice Act of 1987, who~~ provides hospice services to a
19 hospice patient or that ~~who~~ provides home health services to a
20 person, at the residence or place of employment of the person
21 for whom the prescription was issued or at the hospital or
22 medical care facility in which the patient is confined.
23 Conversely, the patient or patient's agent may drop off

1 prescriptions at a designated area. In this Section, "home
2 health services" has the meaning ascribed to it in the Home
3 Health, Home Services, and Home Nursing Agency Licensing Act;
4 and "hospice patient" and "hospice services" have the meanings
5 ascribed to them in the Hospice Program Licensing Act.

6 (Source: P.A. 99-163, eff. 1-1-16; 100-513, eff. 1-1-18.)

7 Section 10. The Illinois Controlled Substances Act is
8 amended by changing Section 302 as follows:

9 (720 ILCS 570/302) (from Ch. 56 1/2, par. 1302)

10 Sec. 302. (a) Every person who manufactures, distributes,
11 or dispenses any controlled substances; engages in chemical
12 analysis, research, or instructional activities which utilize
13 controlled substances; purchases, stores, or administers
14 euthanasia drugs, within this State; provides canine odor
15 detection services; proposes to engage in the manufacture,
16 distribution, or dispensing of any controlled substance;
17 proposes to engage in chemical analysis, research, or
18 instructional activities which utilize controlled substances;
19 proposes to engage in purchasing, storing, or administering
20 euthanasia drugs; or proposes to provide canine odor detection
21 services within this State, must obtain a registration issued
22 by the Department of Financial and Professional Regulation in
23 accordance with its rules. The rules shall include, but not be
24 limited to, setting the expiration date and renewal period for

1 each registration under this Act. The Department, any facility
2 or service licensed by the Department, and any veterinary
3 hospital or clinic operated by a veterinarian or veterinarians
4 licensed under the Veterinary Medicine and Surgery Practice
5 Act of 2004 or maintained by a State-supported or publicly
6 funded university or college shall be exempt from the
7 regulation requirements of this Section; however, such
8 exemption shall not operate to bar the University of Illinois
9 from requesting, nor the Department of Financial and
10 Professional Regulation from issuing, a registration to the
11 University of Illinois Veterinary Teaching Hospital under this
12 Act. Neither a request for such registration nor the issuance
13 of such registration to the University of Illinois shall
14 operate to otherwise waive or modify the exemption provided in
15 this subsection (a).

16 (b) Persons registered by the Department of Financial and
17 Professional Regulation under this Act to manufacture,
18 distribute, or dispense controlled substances, engage in
19 chemical analysis, research, or instructional activities which
20 utilize controlled substances, purchase, store, or administer
21 euthanasia drugs, or provide canine odor detection services,
22 may possess, manufacture, distribute, engage in chemical
23 analysis, research, or instructional activities which utilize
24 controlled substances, dispense those substances, or purchase,
25 store, or administer euthanasia drugs, or provide canine odor
26 detection services to the extent authorized by their

1 registration and in conformity with the other provisions of
2 this Article.

3 (c) The following persons need not register and may
4 lawfully possess controlled substances under this Act:

5 (1) an agent or employee of any registered
6 manufacturer, distributor, or dispenser of any controlled
7 substance if he or she is acting in the usual course of his
8 or her employer's lawful business or employment;

9 (2) a common or contract carrier or warehouseman, or
10 an agent or employee thereof, whose possession of any
11 controlled substance is in the usual lawful course of such
12 business or employment;

13 (3) an ultimate user or a person in possession of a
14 controlled substance prescribed for the ultimate user
15 under a lawful prescription of a practitioner, including
16 any authorized employee of an organization that ~~an~~
17 ~~advanced practice registered nurse, practical nurse, or~~
18 ~~registered nurse licensed under the Nurse Practice Act, or~~
19 ~~a physician assistant licensed under the Physician~~
20 ~~Assistant Practice Act of 1987, who~~ provides hospice
21 services to a hospice patient or that ~~who~~ provides home
22 health services to a person, or a person in possession of
23 any controlled substance pursuant to a lawful prescription
24 of a practitioner or in lawful possession of a Schedule V
25 substance. In this Section, "home health services" has the
26 meaning ascribed to it in the Home Health, Home Services,

1 and Home Nursing Agency Licensing Act; and "hospice
2 patient" and "hospice services" have the meanings ascribed
3 to them in the Hospice Program Licensing Act;

4 (4) officers and employees of this State or of the
5 United States while acting in the lawful course of their
6 official duties which requires possession of controlled
7 substances;

8 (5) a registered pharmacist who is employed in, or the
9 owner of, a pharmacy licensed under this Act and the
10 Federal Controlled Substances Act, at the licensed
11 location, or if he or she is acting in the usual course of
12 his or her lawful profession, business, or employment;

13 (6) a holder of a temporary license issued under
14 Section 17 of the Medical Practice Act of 1987 practicing
15 within the scope of that license and in compliance with
16 the rules adopted under this Act. In addition to
17 possessing controlled substances, a temporary license
18 holder may order, administer, and prescribe controlled
19 substances when acting within the scope of his or her
20 license and in compliance with the rules adopted under
21 this Act.

22 (d) A separate registration is required at each place of
23 business or professional practice where the applicant
24 manufactures, distributes, or dispenses controlled substances,
25 or purchases, stores, or administers euthanasia drugs. Persons
26 are required to obtain a separate registration for each place

1 of business or professional practice where controlled
2 substances are located or stored. A separate registration is
3 not required for every location at which a controlled
4 substance may be prescribed.

5 (e) The Department of Financial and Professional
6 Regulation or the Illinois State Police may inspect the
7 controlled premises, as defined in Section 502 of this Act, of
8 a registrant or applicant for registration in accordance with
9 this Act and the rules promulgated hereunder and with regard
10 to persons licensed by the Department, in accordance with
11 subsection (bb) of Section 30-5 of the Substance Use Disorder
12 Act and the rules and regulations promulgated thereunder.

13 (Source: P.A. 99-163, eff. 1-1-16; 99-247, eff. 8-3-15;
14 99-642, eff. 7-28-16; 100-513, eff. 1-1-18; 100-759, eff.
15 1-1-19.)