

**B-Engrossed**  
**Senate Bill 704**

Ordered by the Senate June 28  
Including Senate Amendments dated May 17 and June 28

Sponsored by Senator CARTER; Representative HANSEN

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires that [*Director*] **Department** of Human Services [*and Director of*] **or** Department of Corrections dispense as written prescription for **brand-name** mental health drug for person in state institution if prescription specifies [*no substitution*] "**dispense as written**" or contains notation [*N.S.*] "**D.A.W.**" or other words of similar meaning.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to mental health drugs; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Department of Human Services or the Department of Corrections**  
5 **shall dispense as written a prescription for a brand-name mental health drug prescribed for**  
6 **a person while the person is in the custody of an institution described in ORS 179.321 if the**  
7 **prescription specifies "dispense as written" or contains the notation "D.A.W." or other**  
8 **words of similar meaning.**

9 **(2) If, at the time of commitment to the custody of an institution described in ORS**  
10 **179.321, a person has a prescription for a specified brand-name mental health drug and the**  
11 **prescription specifies "dispense as written" or contains the notation "D.A.W." or other**  
12 **words of similar meaning, the Department of Human Services or the Department of Cor-**  
13 **rections shall ensure that the person is prescribed the specified brand-name drug until a li-**  
14 **censed health professional with prescriptive privileges evaluates the person and becomes**  
15 **responsible for the treatment of the person.**

16 **SECTION 2. Section 1 of this 2005 Act applies to persons in the custody of an institution**  
17 **described in ORS 179.321 on or after the effective date of this 2005 Act.**

18 **SECTION 3. This 2005 Act being necessary for the immediate preservation of the public**  
19 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**  
20 **on its passage.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.