

LAWS OF DELAWARE
VOLUME 84
CHAPTER 158
152nd GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 148

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE TOPICAL MEDICAL WASTE REDUCTION ACT.

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

Section 1. Amend § 2502, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and redesignating accordingly:

§ 2502. Definitions.

For purposes of this chapter:

(23) “Practitioner-dispensed medication” means a drug that is all of the following:

a. Dispensed by a practitioner to a patient.

b. A topical antibiotic, anti-inflammatory, dilation, or glaucoma drop or ointment.

c. On stand-by or retrieved from a dispensing system for a specified patient for use during a procedure or visit with the practitioner.

Section 2. Amend § 2523, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2523. Exemptions.

Nothing in this chapter may be construed to ~~prevent~~: prevent any of the following:

(9)a. A practitioner from dispensing the unused portion of practitioner-dispensed medication to the patient upon discharge or the conclusion of the visit if the practitioner-dispensed medication is labeled consistent with the requirements under § 2522 of this title and required for continuing treatment. If the practitioner-dispensed medication is used in an operating room or emergency department, the practitioner must counsel the patient on the proper use and administration of the drug.

b. A practitioner who fails to comply with paragraph (9)a. of this section is subject to disciplinary sanction under this title.

Section 3. This Act is known as “The Topical Medical Waste Reduction Act”.

Approved August 9, 2023