

LEGISLATIVE DIGEST

[Health Code - Requiring Retail Pharmacies to Stock Buprenorphine]

Ordinance amending the Health Code to require each retail pharmacy in San Francisco that stocks controlled substance prescription drugs to stock sufficient buprenorphine to provide for at least two new prescriptions, provide for an affirmative defense for retail pharmacies that ordered replacement prescriptions, and establish penalties for violating the requirement to stock sufficient buprenorphine.

Existing Law

The Proposed Ordinance has not previously been codified. Currently, Article 48 of the Health Code requires each retail pharmacy in San Francisco to stock sufficient opioid antagonists, such as naloxone, to fulfill at least two purchases by consumers.

Amendments to Current Law

The Proposed Ordinance would amend Article 48 to require each retail pharmacy in San Francisco that stocks controlled substance prescription drugs to maintain sufficient stock of buprenorphine to fill existing prescriptions as of the effective date of the ordinance and at least two additional prescriptions. The Proposed Ordinance would also allow a 3-day grace period for retail pharmacies to reorder two additional prescriptions subject to supplier and wholesaler availability and approval. Finally, the Proposed Ordinance would provide for penalties for violations of not less than \$250 per violation and not more than \$1,000 per violation.

Background Information

Buprenorphine is a medication approved for the treatment of Opioid Use Disorder and reduces the risk of dying from use of opioids by up to 50%. According to an article published in the “Drug and Alcohol Dependence” journal, only 31% of California pharmacies stocked buprenorphine. In January of 2024 the Department of Public Health conducted a survey among retail pharmacies in San Francisco and found only 37 of the 84 responding pharmacies were able to fill a day-of prescription for a 2-week supply of buprenorphine. The availability of buprenorphine is critical to ensuring individuals can immediately obtain lifesaving treatment.

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