

1 AN ACT  
2 RELATING TO PHARMACIES; AMENDING THE PHARMACY ACT TO PROVIDE  
3 FOR CUSTODIAL CARE FACILITIES ACQUIRING AND POSSESSING  
4 CONTROLLED SUBSTANCES FOR WITHDRAWAL MANAGEMENT.

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6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 SECTION 1. A new section of the Pharmacy Act is enacted  
8 to read:

9 "CUSTODIAL CARE FACILITIES--ACQUIRING AND POSSESSING  
10 CONTROLLED SUBSTANCES.--

11 A. A licensed custodial care facility that is  
12 authorized to provide medically monitored withdrawal  
13 management that is under the supervision of a consulting  
14 pharmacist and has nursing staff on-site twenty-four hours  
15 per day, three hundred sixty-five days per year, may acquire,  
16 stock, maintain and have in the facility's possession  
17 dangerous drugs, including controlled substances to be used  
18 for withdrawal management purposes, in accordance with board  
19 rules.

20 B. As used in this section, "controlled substance"  
21 means a drug, substance or immediate precursor enumerated in  
22 Schedules III and V of the Controlled Substances Act."

23 SECTION 2. EFFECTIVE DATE.--The effective date of the  
24 provisions of this act is January 1, 2026. \_\_\_\_\_