

## AMENDMENTS TO SENATE BILL NO. 1202

Sponsor: REPRESENTATIVE GIBBONS

Printer's No. 2177

1 Amend Bill, page 1, line 7, by inserting after "~~opioids~~"  
2 further providing for definitions, for powers and duties of  
3 board, for requirements for dispensers and pharmacies and for  
4 requirements for prescribers,

5 Amend Bill, page 1, lines 12 through 15, by striking out all  
6 of said lines

7 Amend Bill, page 2, by inserting between lines 29 and 30

8 Section 1. Section 3 the act of October 27, 2014 (P.L.2911,  
9 No.191), known as the Achieving Better Care by Monitoring All  
10 Prescriptions Program (ABC-MAP) Act, is amended by adding  
11 definitions to read:

12 Section 3. Definitions.

13 The following words and phrases when used in this act shall  
14 have the meanings given to them in this section unless the  
15 context clearly indicates otherwise:

16 \* \* \*

17 "Benzodiazepine." A psychoactive drug whose core chemical  
18 structure is the fusion of a benzene ring and a diazepam ring  
19 and works on the central nervous system, acting selectively on  
20 gamma-aminobutyric acid type A (GABA(A)) receptors in the brain.

21 \* \* \*

22 "Observation status." When a patient receives onsite  
23 services from the hospital for more than 23 consecutive hours,  
24 the onsite services received by the patient include a hospital  
25 bed and meals that have been provided in an area of the hospital  
26 other than the hospital emergency room, and the patient has not  
27 been formally admitted as an inpatient at the hospital.

28 "Opioid drug product." Any of the following:

29 (1) A preparation or derivative of opium.

30 (2) A synthetic narcotic that has opiate-like effects,  
31 but is not derived from opium.

32 (3) A group of naturally occurring peptides that bind at  
33 or otherwise influence opiate receptors, including opioid  
34 agonist.

35 \* \* \*

1 Section 2. Sections 5(5) of the act is amended by adding a  
2 subparagraph to read:

3 Section 5. Powers and duties of board.

4 The board shall have the following powers and duties:

5 \* \* \*

6 (5) Develop policies and procedures to:

7 \* \* \*

8 (xvi) Require and ensure registration of all  
9 prescribers and dispensers with the program.

10 Section 3. Section 7(c) and 8(a) of the act are amended and  
11 the sections are amended by adding subsections to read:

12 Section 7. Requirements for dispensers and pharmacies.

13 \* \* \*

14 (c) Frequency.--A dispenser or pharmacy shall submit all  
15 information required under subsection (b) to the system no later  
16 than [72 hours] the close of the subsequent business day after  
17 dispensing a controlled substance.

18 \* \* \*

19 (e) System query.--

20 (1) A dispenser shall query the system before dispensing  
21 an opioid drug product or a benzodiazepine prescribed to a  
22 patient if any of the following apply:

23 (i) The patient is a new patient of the dispenser.

24 (ii) The patient pays cash when they have insurance.

25 (iii) The patient requests a refill early.

26 (iv) The patient is getting opioid drug products or  
27 benzodiazepines from more than one prescriber.

28 (2) For the purposes of this subsection, a new patient  
29 does not include an individual going to the same pharmacy, or  
30 a different physical location of that pharmacy, if the  
31 patient's record is available to the dispenser.

32 Section 8. Requirements for prescribers.

33 (a) System query.--A prescriber shall query the system:

34 (1) for each patient the first time the patient is  
35 prescribed a controlled substance by the prescriber for  
36 purposes of establishing a baseline and a thorough medical  
37 record; [or]

38 (2) if a prescriber believes or has reason to believe,  
39 using sound clinical judgment, that a patient may be abusing  
40 or diverting drugs[.]; or

41 (3) each time a patient is prescribed an opioid drug  
42 product or benzodiazepine by the prescriber.

43 (a.1) Query not required.--If a patient has been admitted to  
44 a licensed health care facility or is in observation status in a  
45 licensed health care facility, the prescriber does not need to  
46 query the system after the initial query under subsection (a)(1)  
47 as long as the patient remains admitted to the licensed health  
48 care facility or remains in observation status in a licensed  
49 health care facility.

50 \* \* \*

51 Section 4. The act is amended by adding a section to read:

1 Amend Bill, page 4, line 11, by striking out "2" and  
2 inserting  
3 5