

## AMENDMENTS TO HOUSE BILL NO. 1005

Sponsor: REPRESENTATIVE COX

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1 Amend Bill, page 1, line 8, by striking out "AND"

2 Amend Bill, page 1, lines 11 and 12, by striking out "AND FOR  
3 REQUIREMENTS FOR CORONERS AND MEDICAL EXAMINERS" and inserting  
4 ; and further providing for access to prescription information

5 Amend Bill, page 2, lines 18 through 30; page 3, lines 1  
6 through 13; by striking out all of said lines on said pages and  
7 inserting

8 "Drug-related overdose event." An incidence of a physical  
9 state resulting from intentionally or unintentionally consuming  
10 or administering a toxic or otherwise harmful level of  
11 controlled prescription medication or illegal substance that may  
12 be suspected by any of the following:

13 (1) An observation of symptoms requiring an emergent  
14 medical response.

15 (2) A clinical suspicion of a drug overdose.

16 Amend Bill, page 3, by inserting between lines 21 and 22

17 "Single county authority." The agency designated to plan and  
18 coordinate drug and alcohol prevention, intervention and  
19 treatment services for a geographic area, which may consist of  
20 one or more counties, and to administer the provisions of such  
21 services funded through the agency.

22 \* \* \*

23 Amend Bill, page 3, line 26, by striking out all of said line  
24 and inserting

25 Section 3. Section 5(5)(v) of the act is amended and the  
26 paragraph is amended by adding subparagraphs to read:

27 Amend Bill, page 3, lines 29 and 30; page 4, lines 1 through  
28 30; page 5, lines 1 and 2; by striking out all of said lines on  
29 said pages and inserting

1           \* \* \*

2       Amend Bill, page 5, lines 4 through 19, by striking out all  
3 of said lines and inserting

4           \* \* \*

5       Amend Bill, page 5, line 20, by inserting after "prescribers"  
6           and first responders

7       Amend Bill, page 5, line 21, by inserting after "to"  
8           single county authorities,

9       Amend Bill, page 5, line 23, by inserting after "prescribers"  
10           and first responders

11       Amend Bill, page 5, lines 26 through 30; page 6, lines 1  
12 through 30; page 7, lines 1 through 8; by striking out all of  
13 said lines on said pages and inserting

14           \* \* \*

15       Amend Bill, page 9, line 22, by striking out "SECTIONS" and  
16 inserting

17       a section

18       Amend Bill, page 12, line 8, by inserting after "INFORMATION"  
19       that is available and reasonably able to be identified  
20 during a review of the individual's medical records

21       Amend Bill, page 12, line 12, by striking out "AN" and  
22 inserting

23       the

24       Amend Bill, page 12, lines 29 and 30, by striking out "72  
25 HOURS AFTER A DRUG-RELATED OVERDOSE EVENT WAS REPORTED" and  
26 inserting

27       14 days after the completion of the acute episode of care

28       Amend Bill, page 13, lines 5 through 30; page 14, lines 1  
29 through 6; by striking out all of said lines on said pages and  
30 inserting

31       Section 6. Section 9 heading and (b) (3) of the act are  
32 amended and subsection (b) is amended by adding a paragraph to

1 read:

2 Amend Bill, page 14, by inserting between lines 9 and 10

3 (b) Authorized users.--The following individuals may query  
4 the system according to procedures determined by the board and  
5 with the following limitations:

6 \* \* \*

7 (3) (i) The Office of Attorney General shall query the  
8 system on behalf of all law enforcement agencies,  
9 including, but not limited to, the Office of the Attorney  
10 General and Federal, State and local law enforcement  
11 agencies for:

12 (A) Schedule II controlled substances as  
13 indicated in the act of April 14, 1972 (P.L.233,  
14 No.64), known as The Controlled Substance, Drug,  
15 Device and Cosmetic Act, and in the manner determined  
16 by the Pennsylvania Attorney General pursuant to 28  
17 Pa. Code § 25.131 (relating to every dispensing  
18 practitioner);

19 (B) all other schedules upon receipt of a court  
20 order obtained by the requesting law enforcement  
21 agency. Upon receipt of a motion under this clause,  
22 the court may enter an ex parte order granting the  
23 motion if the law enforcement agency has demonstrated  
24 by a preponderance of the evidence that:

25 (I) the motion pertains to a person who is  
26 the subject of an active criminal investigation  
27 with a reasonable likelihood of securing an  
28 arrest or prosecution in the foreseeable future;  
29 and

30 (II) there is reasonable suspicion that a  
31 criminal act has occurred.

32 (ii) Data obtained by a law enforcement agency under  
33 this paragraph shall only be used to establish probable  
34 cause to obtain a search warrant or arrest warrant.

35 (iii) Requests made to the Office of Attorney  
36 General to query the system under this paragraph shall be  
37 made in a form or manner prescribed by the Office of  
38 Attorney General and shall include the court order, when  
39 applicable. Each individual designee of the Office of  
40 Attorney General shall have a unique identifier when  
41 accessing the system.

42 (iv) The Office of Attorney General shall not query  
43 the system for information regarding a drug-related  
44 overdose event.

45 \* \* \*

46 (12) An authorized employee of a county or municipal  
47 health department may query the system if the employee has a  
48 unique identifier when accessing the system and the employee  
49 accesses the system for any of the following purposes:

1           (i) Developing educational programs relating to  
2           prescribing practices and controlled substance abuse.

3           (ii) Identifying at-risk individuals for the purpose  
4           of connecting them with addiction treatment professionals  
5           and programs, including single county authorities.

6           (iii) Compiling epidemiological data to ensure the  
7           security of the system when an authorized employee of a  
8           county or municipal health department accesses the  
9           system.

10       \* \* \*