

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 432 Session of 2019

INTRODUCED BY PHILLIPS-HILL, J. WARD, BROWNE AND YUDICHAK,
MARCH 12, 2019

REFERRED TO HEALTH AND HUMAN SERVICES, MARCH 12, 2019

AN ACT

1 Amending the act of October 27, 2014 (P.L.2911, No.191),
2 entitled "An act providing for prescription drug monitoring;
3 creating the ABC-MAP Board; establishing the Achieving Better
4 Care by Monitoring All Prescriptions Program; and providing
5 for unlawful acts and penalties," further providing for
6 access to prescription information.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 9(b)(7) of the act of October 27, 2014
10 (P.L.2911, No.191), known as the Achieving Better Care by
11 Monitoring All Prescriptions Program (ABC-MAP) Act, is amended
12 and the subsection is amended by adding a paragraph to read:

13 Section 9. Access to prescription information.

14 * * *

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

18 * * *

19 (7) Designated Commonwealth personnel and contracted
20 staff who are responsible for the development and evaluation

1 of quality improvement strategies, program integrity
2 initiatives or conducting internal compliance reviews and
3 data reporting for the medical assistance program, Children's
4 Health Insurance Program (CHIP), Pharmaceutical Assistance
5 Contract for the Elderly (PACE) or Pharmaceutical Assistance
6 Contract for the Elderly Needs Enhancement Tier (PACENET).

7 * * *

8 (12) Personnel of an organization that has an agreement
9 to be paid on a capitated basis to provide services to
10 medical assistance beneficiaries, who are engaged in care
11 management, the development and evaluation of quality
12 improvement strategies, program integrity initiatives or
13 conducting internal compliance reviews and data reporting for
14 the medical assistance program. Personnel engaged in these
15 activities:

16 (i) May query the system to review the requested
17 dispensing or prescribing of a controlled substance under
18 this act to an individual to whom the organization
19 provides services under Title XIX of the Social Security
20 Act (P.L.74-271, 42 U.S.C. § 1396 et seq.).

21 (ii) Shall notify the Department of Human Services
22 and the Office of Attorney General if fraud is suspected
23 based on the results of the query and review of the
24 database.

25 * * *

26 Section 2. This act shall take effect in 60 days.