

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 786 Session of 2011

INTRODUCED BY STACK, FONTANA, BREWSTER, RAFFERTY, TARTAGLIONE,
BROWNE, KASUNIC AND MENSCH, MARCH 7, 2011

REFERRED TO JUDICIARY, MARCH 7, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in forgery and fraudulent practices,
3 providing for an offense relating to prescriptions and
4 prescription drugs.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 4121. Prescriptions and prescription drugs.

10 (a) Offense defined.--A person commits a felony of the third
11 degree if he acquires or attempts to acquire a prescription or
12 prescription order by knowingly misrepresenting or knowingly
13 withholding information from a practitioner for the sole purpose
14 of procuring controlled substances for abuse or sale.

15 (b) Prima facie evidence of intent.--Prima facie evidence of
16 an intent to violate this section shall include visits by a
17 person to multiple doctors or practitioners with the intent of
18 procuring controlled substances for abuse or sale.

19 (c) Definitions.--The words and phrases used in this section

1 shall have the same meanings given to them in the act of April
2 14, 1972 (P.L.233, No.64), known as The Controlled Substance,
3 Drug, Device and Cosmetic Act.

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