

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1368 Session of 2015

INTRODUCED BY KILLION, YAW, SCARNATI, CORMAN, AUMENT, BROWNE,  
BARTOLOTTA, FOLMER, RAFFERTY, RESCHENTHALER, VULAKOVICH,  
FONTANA, TEPLITZ, COSTA, HUTCHINSON, YUDICHAK, STEFANO,  
MENSCH AND ARGALL, SEPTEMBER 23, 2016

AS REPORTED FROM COMMITTEE ON HEALTH, HOUSE OF REPRESENTATIVES,  
AS AMENDED, OCTOBER 18, 2016

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, in public safety, providing for safe  
3 opioid prescription and imposing powers and duties on certain  
4 Commonwealth agencies.

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

7 Section 1. Title 35 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a chapter in Part III to read:

9 CHAPTER 51

10 SAFE OPIOID PRESCRIPTION

11 Sec.

12 5101. Definitions.

13 5102. Safe opioid prescription education.

14 5103. Temporary regulations.

15 § 5101. Definitions.

16 The following words and phrases when used in this chapter

17 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "College." Any of the following:

3 (1) A medical college.

4 (2) A medical training facility, including a school of  
5 nursing and a school of optometry.

6 (3) A dental school.

7 (4) An osteopathic medical college or osteopathic  
8 medical training facility.

9 "Controlled substance." A drug, substance or immediate  
10 precursor included in Schedules II through V of section 4 of the  
11 act of April 14, 1972 (P.L.233, No.64), known as The Controlled  
12 Substance, Drug, Device and Cosmetic Act.

13 "Licensing boards." The following:

14 (1) The State Board of Dentistry.

15 (2) The State Board of Medicine.

16 (3) The State Board of Nursing.

17 (4) The State Board of Optometry.

18 (5) The State Board of Osteopathic Medicine.

19 (6) The State Board of Podiatry.

20 "Opioid." Any of the following:

21 (1) A preparation or derivative of opium.

22 (2) A synthetic narcotic that has opiate-like effects  
23 but is not derived from opium.

24 (3) A group of naturally occurring peptides that bind at  
25 or otherwise influence opiate receptors, including opioid  
26 agonist.

27 § 5102. Safe opioid prescription education.

28 (a) Curriculum.--Beginning August 1, 2017, the licensing  
29 boards shall, by joint regulation, implement a safe prescription  
30 of a controlled substance containing an opioid curriculum. The

1 curriculum may be offered in colleges or by providers approved  
2 by the licensing boards and shall include all of the following:

3 (1) Current, age-appropriate information relating to  
4 pain management.

5 (2) Multimodal treatments for chronic pain that minimize  
6 the use of a controlled substance containing an opioid.

7 (3) If a controlled substance containing an opioid is  
8 indicated, instruction on safe methods of prescribing a  
9 controlled substance containing an opioid that follow  
10 guideline-based care.

11 (4) Identification of patients who have risk factors for  
12 developing problems with prescription of a controlled  
13 substance containing an opioid.

14 (5) Training on managing substance abuse USE disorders <--  
15 as a chronic disease.

16 (b) Separation from standardized curriculum.--The education <--  
17 required under this chapter shall not be considered part of the  
18 college's curriculum necessary for graduation. THE EDUCATION <--  
19 REQUIRED UNDER THIS CHAPTER SHALL NOT BE CONSIDERED TO BE A  
20 MANDATE OF THE CURRICULUM NECESSARY FOR GRADUATION. NOTHING IN  
21 THIS CHAPTER SHALL BE CONSTRUED TO PROHIBIT A COLLEGE FROM  
22 REQUIRING SUCH CURRICULUM TO BE NECESSARY TO GRADUATE AFTER  
23 AUGUST 1, 2017.

24 § 5103. Temporary regulations.

25 In order to facilitate the prompt implementation of this  
26 chapter, each licensing board may issue temporary regulations.  
27 The following shall apply:

28 (1) The temporary regulations shall expire no later than  
29 two years after their issuance.

30 (2) The temporary regulations issued by each licensing

1 board shall not be subject to:

2 (i) Sections 201, 202 and 203 of the act of July 31,  
3 1968 (P.L.769, No.240), referred to as the Commonwealth  
4 Documents Law.

5 (ii) The act of June 25, 1982 (P.L.633, No.181),  
6 known as the Regulatory Review Act.

7 Section 2. This act shall take effect immediately.