AN ACT

1  Amending Title 35 (Health and Safety) of the Pennsylvania
2  Consolidated Statutes, in public safety, providing for limits
3  on opioid prescriptions.
4
5  The General Assembly of the Commonwealth of Pennsylvania
6
7  hereby enacts as follows:
8
9  Section 1. Title 35 of the Pennsylvania Consolidated
10  Statutes is amended by adding a chapter to read:
11
12  CHAPTER 52B
13  LIMITS ON OPIOID PRESCRIPTIONS
14
15  Sec.
16
17  § 52B01. Definitions.
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19  The following words and phrases when used in this chapter
20  shall have the meanings given to them in this section unless the
21  context clearly indicates otherwise:
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23  "Controlled substance." A drug, substance or immediate
precursor included in Schedules II, III, IV and V of section 4
of the act of April 14, 1972 (P.L.233, No.64), known as The
Controlled Substance, Drug, Device and Cosmetic Act.

"Medical emergency." A situation that in a prescriber's good
faith professional judgment creates an immediate threat of
serious risk to the life or physical health of a minor.

"Opioid." Any of the following:

(1) A preparation or derivative of opium.
(2) A synthetic narcotic that has opiate-like effects
but is not derived from opium.
(3) A group of naturally occurring peptides that bind at
or otherwise influence opiate receptors, including opioid
agonist.

"Patient." A person that is under the medical care of a
prescriber.

"Prescriber." A person that is licensed, registered or
otherwise authorized to distribute, dispense or administer a
controlled substance, other drug or device in the course of
professional practice or research in this Commonwealth. The term
does not include a veterinarian.

§ 52B02. Limits on prescribing opioids.

(a) General rule.--Except as provided in subsection (b):
(1) A prescriber may not prescribe to a patient a
combination of opioids in an aggregate amount in excess of
100 morphine milligram equivalents of opioids per day.
(2) A prescriber may not prescribe to a patient, who on
the effective date of this section has an active prescription
for opioids in excess of 100 morphine milligram equivalents
of opioids per day, an opioid in an amount that would cause
the patient's total amount of opioids to exceed 300 morphine
milligram equivalents of opioids per day. This paragraph shall expire July 1, 2018.

(b) Exceptions.--The prescription limits in subsection (a) shall not apply under any of the following circumstances:

(1) In the professional medical judgment of the prescriber, the prescription of opioids in an aggregate amount in excess of 100 morphine milligram equivalents of opioids per day is required to stabilize a patient's acute medical condition and the prescriber:

   (i) documents the acute medical condition in the patient's record with the prescriber; and
   (ii) indicates the reason why a nonopioid alternative is not appropriate to address the acute medical condition.

(2) The prescription is for:

   (i) management of pain associated with cancer;
   (ii) use in palliative or hospice care; or
   (iii) medication-assisted substance abuse treatment.

(3) The prescription is for treatment associated with or incident to a medical emergency documented in the patient's medical record.

§ 52B03. Penalties.

A prescriber who violates this chapter shall be subject to administrative sanctions by the prescriber's licensing board under applicable law.

Section 2. This act shall take effect immediately.