
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 353 Session of
2017

INTRODUCED BY NESBIT, MARSICO, NEILSON, CRUZ, DRISCOLL, COX,
MILLARD, HILL-EVANS, CARROLL, PHILLIPS-HILL, PICKETT,
A. HARRIS, MURT, WARD, IRVIN, GAINEY, SOLOMON, M. QUINN,
RADER, STEPHENS, WATSON, ZIMMERMAN AND DEAN, FEBRUARY 6, 2017

REFERRED TO COMMITTEE ON HEALTH, FEBRUARY 6, 2017

AN ACT

1 Amending the act of April 14, 1972 (P.L.233, No.64), entitled
2 "An act relating to the manufacture, sale and possession of
3 controlled substances, other drugs, devices and cosmetics;
4 conferring powers on the courts and the secretary and
5 Department of Health, and a newly created Pennsylvania Drug,
6 Device and Cosmetic Board; establishing schedules of
7 controlled substances; providing penalties; requiring
8 registration of persons engaged in the drug trade and for the
9 revocation or suspension of certain licenses and
10 registrations; and repealing an act," further providing for
11 professional prescription, administration, and dispensing.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Section 11(a) and (b) of the act of April 14,
15 1972 (P.L.233, No.64), known as The Controlled Substance, Drug,
16 Device and Cosmetic Act, are amended to read:

17 Section 11. Professional Prescription, Administration, and
18 Dispensing.--(a) Except when dispensed or administered directly
19 to the patient by a practitioner or his authorized agent, other
20 than a pharmacist, to an ultimate user, no controlled substance
21 in Schedule II[,] may be dispensed without [the written] an

1 electronic prescription of a practitioner, except in emergency
2 situations, as prescribed by the secretary by regulation. No
3 prescription for a controlled substance in Schedule II may be
4 refilled.

5 (b) Except when dispensed directly by a practitioner, other
6 than a pharmacist, to an ultimate user, no controlled substance
7 in Schedule III or IV[,] may be dispensed without [a written or
8 oral] an electronic prescription of a practitioner, except in
9 emergency situations, as prescribed by the secretary by
10 regulation. Such prescriptions shall not be filled or refilled
11 more than six months after the date thereof or be refilled more
12 than five times after the date of the prescription unless
13 renewed by the practitioner.

14 * * *

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