

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 112

PRINTER NO. 508

AMOUNT

No Fiscal Impact

FUND

General Fund
Restricted Account – State Board of Medicine
Restricted Account – State Board of Osteopathic
Medicine
Restricted Account – State Board of Podiatry

DATE INTRODUCED

January 23, 2019

PRIME SPONSOR

Senator Yaw

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 112 amends Chapter 52A of Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes to extend all requirements and limitations regarding opioid prescriptions for minors to all individuals.

The bill clarifies the definition of “minor” to exclude an individual under the age of 18 years of age who is married or has been married; pregnant or has been pregnant; a member of the armed forces of the United States; or legally emancipated.

The bill prohibits a prescriber from prescribing more than a seven-day supply of a controlled substance to an individual unless any of the following apply:

- In the professional judgment of the prescriber, more than a seven-day supply is required to stabilize the individual’s acute medical condition; or
- The prescription is for management of pain associated with cancer, use in palliative or hospice care, or management of chronic pain not associated with cancer.

The bill requires a prescriber to comply with the following procedures before issuing an individual the first prescription in a single course of treatment:

- Assess whether the individual has taken or is currently taking prescription drugs for treatment of a substance use disorder; and
- Discuss with the individual all of the risks of addiction, overdose and dangers of taking a controlled substance containing an opioid and any information in the patient counseling information section of the labeling for a controlled substance containing an opioid required under 21 C.F.R 201.57(c) (18) as deemed necessary by the prescriber.

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The prescribing procedures do not apply if the individual's treatment with a controlled substance containing an opioid meets any of the following criteria:

- The treatment is associated with a medical emergency as documented in the individual's medical record;
- In the prescriber's professional judgment, complying with the prescribing procedures would be detrimental to the individual's health or safety;
- The treatment occurs while the individual remains admitted to, or remains in observation status in, a licensed health care facility; or
- The prescriber is continuing the treatment initiated by another member of the prescriber's practice.

This act shall take effect in 180 days.

FISCAL IMPACT

The Department of State advises that the enactment of this legislation will have no significant fiscal impact to the Commonwealth as any costs can be accommodated within existing funding levels.