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Senate of Pennsylvania

April 11, 2012

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TO: All Senators

APR 11 2012

FROM: Senator Kim Ward

SUBJECT: Co-Sponsorship of Legislation – Prescription Drug Clearinghouse “Pill Mill”– **Memo #38**

I plan to introduce legislation to establish a prescription drug clearinghouse to track prescription drugs prescribed to ensure that patients are being treated for medical reasons. Pain clinics will be regulated by the Department of Health.

Pill mills and prescription drug abuse are a national problem, and many states are passing laws to deal with this increasingly prevalent problem. My legislation is modeled after Florida’s “Pill Mill” legislation signed into law last year. Kentucky is currently considering legislation, HB 4, in their state Senate, as well as Ohio and Illinois. The federal government is encouraging all states to enact laws to address the country’s fast-growing drug epidemic – prescription drug abuse.

Clinics will be required to submit to annual inspections by the Department of Health and pain clinic physicians must complete specialized training. However, the bill provides safeguards for legitimate physicians that are dispensing medications to ensure that the medical profession is protected from unnecessary government oversight and malicious prosecutions.

Under the bill, an electronic clearinghouse will require that all controlled substance prescriptions be recorded into a database. This will make it easier to monitor drugs that are abused like oxycodone. The pharmacy dispensing the controlled substance must electronically enter into a database, information that includes: the name of the prescribing practitioner with their federal DEA registration number; the date the prescription was filled as well as the method of payment; the full name, address and date of birth for the whom the prescription was written; the name, national drug code, quantity and strength of the controlled substance dispensed and other appropriate identifying information. All data must be entered into the system as soon as possible but not more than 7 days after the date the drug is dispensed. Intentional, unauthorized use of the database is considered a felony of the third degree, punishable by a civil penalty and all appropriate licensing act penalties. Persons who willfully and knowingly fail to report the dispensing of a controlled substance as required by this act will face fines and criminal penalties.

If you would like to co-sponsor this legislation, please contact Tiffany Price in my office at 717-787-6063 or by email at tprice@pasen.gov.

KLW/vjw