

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," providing for
11 dispensing of fentanyl.

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

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

17 Section 4.1. Dispensing of Fentanyl.--(a) Fentanyl and
18 fentanyl derivatives, as used in section 4(1)(ii)23, shall only
19 be dispensed either:

20 (1) During a surgery that takes place in a health care
21 facility as defined in section 103 of the act of July 19, 1979
22 (P.L.130, No.48), known as the "Health Care Facilities Act."

1 (2) To a patient in a hospice as defined in section 802.1 of
2 the "Health Care Facilities Act."

3 (b) The department, in consultation with the Pennsylvania
4 State Police, shall issue an annual report to the General
5 Assembly. The report shall contain the following:

6 (1) Information on the number of overdoses related to
7 fantanyl and the number of overdoses where fantanyl and opioids
8 were present.

9 (2) Any reduction in the dispensing of fantanyl.

10 (c) This section shall expire two years after the effective
11 date of this section.

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