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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 788**      Session of  
2007

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INTRODUCED BY STACK, RAFFERTY, STOUT, TARTAGLIONE, FONTANA,  
WASHINGTON, LOGAN, C. WILLIAMS, COSTA, KASUNIC, BROWNE AND  
RHOADES, APRIL 27, 2007

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REFERRED TO JUDICIARY, APRIL 27, 2007

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, providing for fraudulent practices  
3 relating to prescriptions and prescription drugs.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 18 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 4121. Fraudulent practices relating to prescriptions and  
9 prescription drugs.

10 (a) Offense defined.--A person commits a felony of the third  
11 degree if he acquires or attempts to acquire a prescription or  
12 prescription order by knowingly misrepresenting or knowingly  
13 withholding information from a practitioner for the sole purpose  
14 of procuring controlled substances for abuse or sale.

15 (b) Prima facie evidence of intent.--Prima facie evidence of  
16 an intent to violate this section shall include visits by a  
17 person to multiple doctors or practitioners with the intent of  
18 procuring controlled substances for abuse or sale.

1        (c) Definitions.--The words and phrases used in this section  
2 shall have the same meanings given to them in the act of April  
3 14, 1972 (P.L.233, No.64), known as The Controlled Substance,  
4 Drug, Device and Cosmetic Act.

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