

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 509 Session of 2013

INTRODUCED BY EICHELBERGER, VULAKOVICH, STACK, GREENLEAF,
KASUNIC, ERICKSON, WHITE, BREWSTER, ALLOWAY, RAFFERTY, WAUGH,
WARD, TARTAGLIONE, FARNESE AND VOGEL, FEBRUARY 14, 2013

REFERRED TO PUBLIC HEALTH AND WELFARE, FEBRUARY 14, 2013

AN ACT

1 Amending the act of April 14, 1972 (P.L.221, No.63), entitled,
2 as amended, "An act establishing the Pennsylvania Advisory
3 Council on Drug and Alcohol Abuse; imposing duties on the
4 Department of Health to develop and coordinate the
5 implementation of a comprehensive health, education and
6 rehabilitation program for the prevention and treatment of
7 drug and alcohol abuse and drug and alcohol dependence;
8 providing for emergency medical treatment; providing for
9 treatment and rehabilitation alternatives to the criminal
10 process for drug and alcohol dependence; and making repeals,"
11 further providing for definitions; and providing for specific
12 powers and duties with regard to opioid addiction treatment.

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

15 Section 1. The definition of "council" in section 2(b) of
16 the act of April 14, 1972 (P.L.221, No.63), known as the
17 Pennsylvania Drug and Alcohol Abuse Control Act, amended
18 December 20, 1985 (P.L.529, No.119), is amended and the
19 subsection is amended by adding definitions to read:

20 Section 2. Definitions:

21 * * *

22 (b) As used in this act:

1 "Bureau" means the Bureau of Drug and Alcohol Programs in the
2 Department of Health or any successor entity that becomes
3 responsible for narcotic and opioid treatment programs.

4 * * *

5 "Council" means the Pennsylvania Advisory Council on Drug and
6 Alcohol Abuse established by this act and transferred to the
7 Department of Health by Reorganization Plan No. 4 on April 21,
8 1981.

9 * * *

10 "Division" means the Division of Drug and Alcohol Program
11 Licensure within the Department of Health or any successor
12 entity that becomes responsible for licensing drug or alcohol
13 programs.

14 * * *

15 "Methadone" means a synthetic opioid agonist that binds with
16 opioid receptors in the brain to initiate drug actions that
17 mimic the effects of opiates.

18 * * *

19 "Narcotic treatment program" means a program for chronic drug
20 users that either administers or dispenses agents under a
21 narcotic treatment physician's order for detoxification or
22 maintenance purposes, or provides a comprehensive range of
23 medical and rehabilitative services to alleviate adverse
24 medical, psychological or physical effects incident to an
25 addiction to narcotics or both.

26 "Opioid addiction treatment" means a narcotic treatment
27 program that involves the dispensing of an opioid agonist or
28 antagonist treatment medication, along with appropriate or
29 necessary medical and rehabilitative services to an individual
30 to alleviate the adverse medical, psychological or physical

effects incident to opiate addiction. This term encompasses
detoxification treatment, short-term detoxification treatment,
long-term detoxification treatment, maintenance treatment,
comprehensive maintenance treatment and interim maintenance
treatment.

* * *

Section 2. The act is amended by adding a section to read:

Section 4.1. Specific Powers and Duties with Regard to
Opioid Addiction Treatment.--The department in conjunction with
the bureau and council shall develop and adopt uniform State
standards for providers of opioid addiction treatment designed
to ensure the safety of both the patient and the general public
in connection with the utilization of opioid antagonists such as
methadone. At a minimum, the standards shall be evidence-based
to the extent possible and shall:

(1) Require a clinic providing opioid addiction treatment to
be open seven days per week, three hundred sixty-five days per
year to limit take-home dosages or to otherwise provide such
provider accessibility to its patients.

(2) Require a clinic providing opioid addiction treatment to
provide information on antidotes such as Narcan used to counter
the effects of opioid overdose to a patient starting methadone
treatment and to provide an antidote if requested by the patient
or otherwise deemed medically appropriate.

(3) Require a clinic providing opioid addiction treatment to
test its patients for usage of benzodiazepines at intake and
regularly on a random basis.

(4) Require a clinic providing opioid addiction treatment to
obtain a signed waiver or authorization before providing
methadone to a patient who is using benzodiazepines from the

1 psychiatrist or physician who has prescribed benzodiazepine
2 treatment for that patient.

3 (5) Prohibit permission to a new patient to take methadone
4 home for the first six months of treatment.

5 (6) Develop protocols with regard to the usage of tests
6 concerning serum methadone levels and electrocardial activity
7 with regard to determination of proper patient dosage levels.

8 (7) Require reporting to local law enforcement of all known
9 methadone-related deaths.

10 (8) Require development and usage of treatment plans and
11 protocols for patients that are designed to achieve drug
12 abstinence.

13 (9) Require a methadone clinic or provider who prescribes
14 methadone to immediately revoke any take-home permissions upon
15 learning of arrest or conviction of a patient for driving under
16 the influence.

17 (10) Prohibit a methadone clinic or provider from
18 prescribing an initial dose of methadone, unless the patient has
19 made arrangements for a designated driver, and require
20 development of protocols to assess the potential driving
21 impairment of a patient receiving an increase in methadone
22 dosage.

23 (11) Require random, regular testing for any and all legal
24 or illegal substances that, in combination with methadone, would
25 increase the probability of impaired driving or otherwise
26 present a risk to the safety of the public or the patient.

27 Section 3. This act shall take effect immediately.