

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2330 Session of 2015

INTRODUCED BY KAUFER, DRISCOLL, HARHART, BOBACK, TOOHL, D. PARKER, TAYLOR, RADER, COOK-ARTIS, RAPP, DAVIS, MURT, BAKER, GINGRICH AND KAUFFMAN, SEPTEMBER 9, 2016

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, SEPTEMBER 9, 2016

AN ACT

1 Amending the act of December 20, 1985 (P.L.457, No.112),
2 entitled "An act relating to the right to practice medicine
3 and surgery and the right to practice medically related acts;
4 reestablishing the State Board of Medical Education and
5 Licensure as the State Board of Medicine and providing for
6 its composition, powers and duties; providing for the
7 issuance of licenses and certificates and the suspension and
8 revocation of licenses and certificates; provided penalties;
9 and making repeals," providing for provision of buprenorphine
10 and legend drugs and further providing for reasons for
11 refusal, revocation, suspension or other corrective actions
12 against a licensee or certificate holder.

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

15 Section 1. The act of December 20, 1985 (P.L.457, No.112),
16 known as the Medical Practice Act of 1985, is amended by adding
17 a section to read:

18 Section 36.3. Provision of buprenorphine and legend drugs.

19 (a) Duty.--The board shall promulgate guidelines restricting
20 when buprenorphine is provided to a patient for the purpose of
21 treating drug dependence or addiction. The promulgated
22 guidelines shall require that the provision of buprenorphine

1 may only occur in conjunction with an opioid treatment program
2 that meets all of the following:

3 (1) Is the subject of a current and valid certification
4 from the Substance Abuse and Mental Health Services
5 Administration of the United States Department of Health and
6 Human Services.

7 (2) Is comprehensive and includes counseling and
8 behavioral therapy.

9 (b) Legend drugs.--The board may adopt promulgated
10 guidelines that establish standards and procedures for
11 prescribing a legend drug to treat opioid dependence or
12 addiction. The board may limit the application of the guidelines
13 to treatment provided through an office-based practice or other
14 practice type or location specified by the board.

15 Section 2. Section 41 of the act is amended by adding a
16 paragraph to read:

17 Section 41. Reasons for refusal, revocation, suspension or
18 other corrective actions against a licensee or
19 certificate holder.

20 The board shall have authority to impose disciplinary or
21 corrective measures on a board-regulated practitioner for any or
22 all of the following reasons:

23 * * *

24 (12) Violating section 36.3(a). The board shall
25 promulgate guidelines providing for specific periods of
26 license suspension or revocation for dispensing, injecting,
27 implanting or prescribing buprenorphine in violation of
28 section 36.3.

29 Section 3. This act shall take effect in 60 days.