

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 2412 Session of  
2015

---

INTRODUCED BY DAVIS, STURLA, COOK-ARTIS, ROZZI, YOUNGBLOOD,  
SAVAGE, McNEILL AND DeLUCA, OCTOBER 18, 2016

---

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 18, 2016

---

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," further providing for  
11 records of distribution of controlled substances.

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

14 Section 1. Section 12 of the act of April 14, 1972 (P.L.233,  
15 No.64), known as The Controlled Substance, Drug, Device and  
16 Cosmetic Act, is amended by adding a subsection to read:

17 Section 12. Records of Distribution of Controlled  
18 Substances.--\* \* \*

19 (d) (1) An official State prescription form shall be  
20 prepared and issued by the secretary in groups of 25 or 100  
21 forms, which forms shall be serially numbered.

22 (2) Unless prescribed electronically, controlled substances

1 in Schedules II, III, IV and V shall be prescribed or dispensed  
2 only on an official State prescription form.

3 (3) The secretary may make rules and regulations, consistent  
4 with this act, with respect to the retention or filing of such  
5 forms, including information required to be filed with the  
6 secretary, the maximum number of forms which may be issued at  
7 any one time, the period of time after issuance by the secretary  
8 that such forms shall remain valid for use, the manner in which  
9 practitioners associated with institutional dispensers may use  
10 such forms or any other matter of procedure or detail necessary  
11 to effectuate or clarify the provisions of this section and to  
12 secure proper and effective enforcement of the provisions of  
13 this article.

14 (4) Every practitioner who prescribes a controlled substance  
15 shall implement and maintain adequate safeguards and security  
16 measures of official State prescription forms in order to assure  
17 against loss, destruction, theft or unauthorized use of the  
18 forms as follows:

19 (i) A practitioner shall maintain a record of the  
20 disposition of all forms, including, but not limited to, use as  
21 a prescription, cancellation, return, loss, destruction,  
22 unauthorized use and nonreceipt. The forms may be used only by  
23 the practitioner to whom they are issued and are not  
24 transferrable.

25 (ii) A practitioner shall immediately notify the department  
26 on forms supplied by the department of the loss, destruction,  
27 theft or unauthorized use of any official State prescription  
28 forms issued to the practitioner as well as the failure to  
29 receive official State prescription forms within a reasonable  
30 time after ordering them from the secretary. Upon receipt of

1 notification, the secretary shall take appropriate action,  
2 including notification to the Office of Attorney General.

3 (5) This subsection shall not apply to veterinarians.

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