

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1202 Session of 2015

INTRODUCED BY YAW, WOZNIAK, SABATINA, VOGEL, FARNESE, RAFFERTY, HUTCHINSON, BLAKE, BARTOLOTTA, MENSCH, YUDICHAK, WAGNER, FOLMER, VULAKOVICH, WARD, STEFANO, HUGHES, BROWNE, SCARNATI, WILLIAMS, SCHWANK AND SCAVELLO, MAY 2, 2016

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 19, 2016

AN ACT

1 Amending the act of October 27, 2014 (P.L.2911, No.191),
2 entitled "An act providing for prescription drug monitoring;
3 creating the ABC-MAP Board; establishing the Achieving Better
4 Care by Monitoring All Prescriptions Program; and providing
5 for unlawful acts and penalties," providing for licensing <--
6 boards to require education in pain management and dispensing <--
7 and prescribing practices of opioids PROVIDING FOR LICENSING <--
8 BOARDS TO REQUIRE EDUCATION IN PAIN MANAGEMENT, ADDICTION AND
9 PRESCRIBING AND DISPENSING PRACTICES FOR OPIOIDS.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. The act of October 27, 2014 (P.L.2911, No.191),
13 known as the Achieving Better Care by Monitoring All
14 Prescriptions Program (ABC-MAP) Act, is amended by adding a
15 section to read:

16 ~~Section 9.1. Licensing boards to require education in pain <--
17 management and dispensing and prescribing practices <--
18 of opioids.~~

19 ~~(a) General rule. Except as otherwise provided for in~~

~~subsection (c), each licensing board in the Department of State jurisdiction over professional licensees who are dispensers or prescribers shall require:~~

~~(1) Individuals applying for an initial license or certification issued by the licensing board, which license or certification authorizes the licensee to be a dispenser or prescriber, shall submit, no later than 12 months after obtaining an initial license or certification, documentation acceptable to the licensing board of the completion of at least two hours of education in pain management and at least two hours of education in the dispensing or prescribing practices of opioids. The education may occur as part of the applicants' professional degree educational program.~~

~~(2) Dispensers and prescribers applying for the renewal of a license or certification issued by the licensing board to complete at least two hours of education in pain management or two hours of education in the dispensing or prescribing practices of opioids as a portion of the total continuing education required for biennial renewal.~~

~~(b) Consultation with department. Each licensing board shall, in consultation with the department, approve the curricula for the pain management and prescribing practices of opioids education.~~

~~(c) Exception. The requirement in subsection (a)(2) shall not apply to a dispenser or prescriber who is exempt from the Drug Enforcement Administration's requirements for a registration number under 21 CFR Ch. II (relating to Drug Enforcement Administration, Department of Justice) and applicable State law.~~

~~SECTION 9.1. LICENSING BOARDS TO REQUIRE EDUCATION IN PAIN~~

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1 MANAGEMENT, ADDICTION AND PRESCRIBING AND DISPENSING
2 PRACTICES FOR OPIOIDS.

3 (A) GENERAL RULE.--EXCEPT AS OTHERWISE PROVIDED FOR IN
4 SUBSECTION (C), EACH LICENSING BOARD SHALL REQUIRE:

5 (1) INDIVIDUALS APPLYING FOR AN INITIAL LICENSE OR
6 CERTIFICATION ISSUED BY THE LICENSING BOARD, WHICH LICENSE OR
7 CERTIFICATION AUTHORIZES THE LICENSEE OR CERTIFICATE HOLDER
8 TO BE A DISPENSER OR PRESCRIBER, TO SUBMIT, NO LATER THAN 12
9 MONTHS AFTER OBTAINING AN INITIAL LICENSE OR CERTIFICATION,
10 DOCUMENTATION ACCEPTABLE TO THE LICENSING BOARD OF THE
11 COMPLETION OF AT LEAST TWO HOURS OF EDUCATION IN PAIN
12 MANAGEMENT OR IDENTIFICATION OF ADDICTION AND AT LEAST TWO
13 HOURS OF EDUCATION IN THE PRACTICES OF PRESCRIBING OR
14 DISPENSING OF OPIOIDS. THE EDUCATION MAY OCCUR AS PART OF THE
15 INDIVIDUAL'S PROFESSIONAL DEGREE EDUCATIONAL PROGRAM OR
16 CONTINUING EDUCATION PROGRAM.

17 (2) DISPENSERS AND PRESCRIBERS APPLYING FOR THE RENEWAL
18 OF A LICENSE OR CERTIFICATION TO COMPLETE AT LEAST TWO HOURS
19 OF CONTINUING EDUCATION IN PAIN MANAGEMENT, IDENTIFICATION OF
20 ADDICTION OR THE PRACTICES OF PRESCRIBING OR DISPENSING OF
21 OPIOIDS AS A PORTION OF THE TOTAL CONTINUING EDUCATION
22 REQUIRED FOR BIENNIAL RENEWAL.

23 (B) CONSULTATION WITH DEPARTMENT.--EACH LICENSING BOARD
24 SHALL, IN CONSULTATION WITH THE DEPARTMENT, APPROVE THE
25 CURRICULA FOR THE PAIN MANAGEMENT, IDENTIFICATION OF ADDICTION
26 AND THE PRACTICES OF PRESCRIBING AND DISPENSING OF OPIOIDS
27 EDUCATION.

28 (C) EXCEPTION.--THE REQUIREMENT IN SUBSECTION (A) (2) SHALL
29 NOT APPLY TO A PRESCRIBER WHO IS EXEMPT FROM THE DRUG
30 ENFORCEMENT ADMINISTRATION'S REQUIREMENTS FOR A REGISTRATION

1 NUMBER UNDER 21 CFR CH. II (RELATING TO DRUG ENFORCEMENT
2 ADMINISTRATION, DEPARTMENT OF JUSTICE) AND APPLICABLE STATE LAW
3 AND DOES NOT USE THE REGISTRATION NUMBER OF ANOTHER PERSON OR
4 ENTITY AS PERMITTED BY LAW TO PRESCRIBE CONTROLLED SUBSTANCES IN
5 ANY MANNER.

6 (D) DEFINITION.--AS USED IN THIS SECTION, THE TERM
7 "LICENSING BOARD" MEANS A LICENSING BOARD UNDER THE BUREAU OF
8 PROFESSIONAL AND OCCUPATIONAL AFFAIRS IN THE DEPARTMENT OF STATE
9 WITH JURISDICTION OVER PROFESSIONAL LICENSEES OR CERTIFICATE
10 HOLDERS WHO ARE DISPENSERS OR PRESCRIBERS.

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