
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1368 Session of
2015

INTRODUCED BY KILLION, YAW, SCARNATI, CORMAN, AUMENT, BROWNE,
BARTOLOTTA, FOLMER, RAFFERTY, RESCHENTHALER, VULAKOVICH,
FONTANA, TEPLITZ, COSTA, HUTCHINSON, YUDICHAK AND STEFANO,
SEPTEMBER 23, 2016

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
SEPTEMBER 23, 2016

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in public safety, providing for safe
3 opioid prescription and imposing powers and duties on certain
4 Commonwealth agencies.

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

7 Section 1. Title 35 of the Pennsylvania Consolidated
8 Statutes is amended by adding a chapter in Part III to read:

9 CHAPTER 51

10 SAFE OPIOID PRESCRIPTION

11 Sec.

12 5101. Definitions.

13 5102. Safe opioid prescription education.

14 5103. Temporary regulations.

15 § 5101. Definitions.

16 The following words and phrases when used in this chapter

17 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Applicant." An individual that will prescribe a controlled
3 substance containing an opioid.

4 "Approved education." Education which, at a minimum, meets
5 the standards required under the curriculum established under
6 section 5102(b) (relating to safe opioid prescription
7 education).

8 "College." Any of the following:

9 (1) A medical college.

10 (2) A medical training facility, including a school of
11 nursing and a school of optometry.

12 (3) A dental school.

13 (4) An osteopathic medical college or osteopathic
14 medical training facility.

15 "Controlled substance." A drug, substance or immediate
16 precursor included in Schedules I through V of section 4 of the
17 act of April 14, 1972 (P.L.233, No.64), known as The Controlled
18 Substance, Drug, Device and Cosmetic Act.

19 "Licensing boards." The following:

20 (1) The State Board of Dentistry.

21 (2) The State Board of Medicine.

22 (3) The State Board of Nursing.

23 (4) The State Board of Optometry.

24 (5) The State Board of Osteopathic Medicine.

25 (6) The State Board of Podiatry.

26 "Opioid." Any of the following:

27 (1) A preparation or derivative of opium.

28 (2) A synthetic narcotic that has opiate-like effects
29 but is not derived from opium.

30 (3) A group of naturally occurring peptides that bind at

1 or otherwise influence opiate receptors, including opioid
2 agonist.

3 § 5102. Safe opioid prescription education.

4 (a) Requirement.--Beginning January 1, 2018, each licensing
5 board shall require that an applicant submit proof to the
6 appropriate board that the applicant has completed approved
7 education on the specific topic of safe prescription of a
8 controlled substance containing an opioid prior to the granting
9 of a license or certificate that would allow the applicant to
10 prescribe a controlled substance containing an opioid.

11 (b) Curriculum.--Beginning August 1, 2017, the licensing
12 boards shall, by joint regulation, implement a safe prescription
13 of a controlled substance containing an opioid curriculum. The
14 curriculum may be offered in colleges or by providers approved
15 by the licensing boards and shall include all of the following:

16 (1) Current, age-appropriate information relating to
17 pain management.

18 (2) Multimodal treatments for chronic pain that minimize
19 the use of a controlled substance containing an opioid.

20 (3) If a controlled substance containing an opioid is
21 indicated, instruction on safe methods of prescribing a
22 controlled substance containing an opioid that follow
23 guideline-based care.

24 (4) Identification of patients who have risk factors for
25 developing problems with prescription of a controlled
26 substance containing an opioid.

27 (5) Training on managing substance abuse disorders as a
28 chronic disease.

29 (c) Separation from standardized curriculum.--The education
30 required under this chapter shall not be considered part of the

1 college's curriculum necessary for graduation.

2 § 5103. Temporary regulations.

3 In order to facilitate the prompt implementation of this
4 chapter, each licensing board may issue temporary regulations.

5 The following shall apply:

6 (1) The temporary regulations shall expire no later than
7 two years after their issuance.

8 (2) The temporary regulations issued by each licensing
9 board shall not be subject to:

10 (i) Sections 201, 202 and 203 of the act of July 31,
11 1968 (P.L.769, No.240), referred to as the Commonwealth
12 Documents Law.

13 (ii) The act of June 25, 1982 (P.L.633, No.181),
14 known as the Regulatory Review Act.

15 Section 2. This act shall take effect immediately.