

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, STEFANO AND MENSCH, SEPTEMBER 23, 2016

AS AMENDED ON SECOND CONSIDERATION, SEPTEMBER 27, 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
18 context clearly indicates otherwise:

1 ~~"Applicant." An individual that will prescribe a controlled <--~~
2 ~~substance containing an opioid.~~

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

7 "College." Any of the following:

8 (1) A medical college.

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

11 (3) A dental school.

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

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

18 "Licensing boards." The following:

19 (1) The State Board of Dentistry.

20 (2) The State Board of Medicine.

21 (3) The State Board of Nursing.

22 (4) The State Board of Optometry.

23 (5) The State Board of Osteopathic Medicine.

24 (6) The State Board of Podiatry.

25 "Opioid." Any of the following:

26 (1) A preparation or derivative of opium.

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

29 (3) A group of naturally occurring peptides that bind at
30 or otherwise influence opiate receptors, including opioid

1 agonist.

2 § 5102. Safe opioid prescription education.

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

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

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

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

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

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

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

28 ~~(c) (B) Separation from standardized curriculum.--The~~ <--
29 ~~education required under this chapter shall not be considered~~
30 ~~part of the college's curriculum necessary for graduation.~~

1 § 5103. Temporary regulations.

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

4 The following shall apply:

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

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

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

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

14 Section 2. This act shall take effect immediately.