

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 122** Session of
2017

INTRODUCED BY KAUFER, READSHAW, FEE, DRISCOLL, TAYLOR, MURT,
RADER, DAVIS, MULLERY, NELSON, McNEILL, LONGIETTI, WATSON,
BOBACK, SIMMONS, SAYLOR, CUTLER, COOK, ROZZI, GALLOWAY, KORTZ
AND BARBIN, FEBRUARY 6, 2017

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
NOVEMBER 21, 2017

AN ACT

1 Amending the act of April 14, 1972 (P.L.221, No.63), entitled,
2 as amended, "An act establishing the Pennsylvania Advisory
3 Council on Drug and Alcohol Abuse; imposing duties on the
4 Department of Health to develop and coordinate the
5 implementation of a comprehensive health, education and
6 rehabilitation program for the prevention and treatment of
7 drug and alcohol abuse and drug and alcohol dependence;
8 providing for emergency medical treatment; providing for
9 treatment and rehabilitation alternatives to the criminal
10 process for drug and alcohol dependence; and making repeals,"
11 establishing the Project Lazarus Commission.

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

14 Section 1. The act of April 14, 1972 (P.L.221, No.63), known
15 as the Pennsylvania Drug and Alcohol Abuse Control Act, is
16 amended by adding a section to read:

17 Section 3.1. Project Lazarus Commission.--(a) The Project
18 Lazarus Commission is established.

19 (b) The commission shall review and make recommendations
20 related to a best practice model for a comprehensive, community-
21 based effort to consolidate overdose prevention efforts for

1 counties in this Commonwealth as provided under this section.

2 (c) The following shall apply:

3 (1) The commission shall consist of the following members:

4 (i) The chairman and minority chairman of the Public Health
5 and Welfare Committee of the Senate or the chairmen's designees,
6 the chairman and minority chairman of the Health Committee of
7 the House of Representatives or the chairmen's designees and the
8 chairman and minority chairman of the Human Services Committee
9 of the House of Representatives or the chairmen's designees.

10 (ii) Two legislators from each of the four legislative
11 caucuses, to be appointed by the President pro tempore of the <--
12 Senate and the Speaker of the House of Representatives, in
13 consultation with the Majority Leader and Minority Leader of the
14 Senate and the Majority Leader and Minority Leader of the House
15 of Representatives. CAUCUSES, TO BE APPOINTED AS FOLLOWS: <--

16 (A) TWO MEMBERS SHALL BE APPOINTED BY THE MAJORITY LEADER OF
17 THE SENATE;

18 (B) TWO MEMBERS SHALL BE APPOINTED BY THE MINORITY LEADER OF
19 THE SENATE;

20 (C) TWO MEMBERS SHALL BE APPOINTED BY THE MAJORITY LEADER OF
21 THE HOUSE OF REPRESENTATIVES; AND

22 (D) TWO MEMBERS SHALL BE APPOINTED BY THE MINORITY LEADER OF
23 THE HOUSE OF REPRESENTATIVES.

24 (iii) The Secretary of the Drug and Alcohol Programs or a
25 designee.

26 (iv) The Secretary of Health or a designee.

27 (v) An individual appointed by the Governor from within the
28 Governor's administration.

29 (2) The commission shall appoint a member to serve as
30 chairman of the commission.

1 (d) The commission shall hold its first meeting within
2 forty-five days of the effective date of this section,
3 notwithstanding whether the Governor or all legislative caucuses
4 have approved members to the commission.

5 (e) The commission shall hold meetings at the call of the
6 chairman.

7 (f) ~~A member~~ LEGISLATIVE APPOINTEES TO THE COMMISSION UNDER <--
8 SUBSECTION (C) (I) AND (II) may not receive compensation for the
9 member's services, but shall be reimbursed for all necessary
10 travel and other reasonable expenses incurred in connection with
11 the ~~performance of the member's duties.~~ PERFORMANCE OF THE <--
12 APPOINTEE'S DUTIES. MEMBERS APPOINTED TO THE COMMISSION UNDER
13 SUBSECTION (C) (III), (IV) OR (V) SHALL NOT BE COMPENSATED FOR
14 THEIR SERVICE AS MEMBERS OF THE COMMISSION BUT MAY BE REIMBURSED
15 FOR EXPENSES NECESSARILY INCURRED IN THE DISCHARGE OF THEIR
16 OFFICIAL DUTIES IN ACCORDANCE WITH COMMONWEALTH POLICY IN EFFECT
17 FOR AGENCIES UNDER THE JURISDICTION OF THE GOVERNOR.

18 (g) The General Assembly shall provide administrative
19 support, meeting space and any other assistance required by the
20 commission to carry out the commission's duties under this
21 section in cooperation with the Department of Drug and Alcohol
22 Programs. The Department of Drug and Alcohol Programs, in
23 consultation with the department, shall provide the commission
24 with data, research and other information upon request by the
25 commission.

26 (h) The commission shall develop a best practice model and
27 identify factors to help counties establish or build existing
28 comprehensive community-based programs to prevent prescription
29 medication and opioid poisonings, present responsible pain
30 management and promote substance abuse treatment and support

1 services. The factors identified under this subsection may
2 include all of the following:

3 (1) Community education about the dangers of misusing and
4 abusing prescription opioids.

5 (2) Provider education to improve the treatment of chronic
6 pain and the treatment of mental illness, addiction and pain.

7 (3) Hospital education policies to encourage safe
8 prescribing of controlled substances and provide meaningful
9 referrals for chronic pain and addiction.

10 (4) Diversion control to reduce the amount of prescribed
11 unused medicines existing in our society.

12 (5) Improvement of patient support so patients and
13 caregivers can safely manage chronic pain.

14 (6) Harm reduction to help people who do abuse opioids to
15 prevent overdose deaths with the antidote naloxone.

16 (7) Addiction treatment to help find effective treatment for
17 those who are ready to recover.

18 (i) The commission shall have the following powers and
19 duties:

20 (1) Review and make findings and recommendations related to
21 a best practice model for counties to use in this Commonwealth.

22 (2) Consult with and utilize experts to assist the
23 commission in carrying out the duties under this subsection.

24 (3) Receive input from interested parties, including, but
25 not limited to, health directors, school superintendents,
26 district attorneys, sheriffs, police chiefs, directors of
27 substance abuse treatment facilities and behavioral health
28 services and hospital and practitioner leaders.

29 (4) Hold public hearings in different regions of this
30 Commonwealth.

1 (5) Review and consider the Project Lazarus model utilized
2 in other states.

3 (6) In identifying the best practice model factors under
4 subsection (h) and in completing the report required under this
5 subsection, consider the impact the factors may have on the
6 Commonwealth's Medicaid authority, schools, Commonwealth public
7 health and mental health agencies, community organizers, local
8 government, hospitals and law enforcement agencies.

9 (7) Review and make recommendations about expanding access
10 to effective forms of substance abuse treatment, data collection
11 and monitoring efforts, the distribution of naloxone to help
12 prevent overdose fatalities, modifying hospital emergency
13 department policies on dispensing pain medicines, support groups
14 for pain patients and one-on-one education of physicians on
15 managing chronic pain.

16 (8) Develop a best practice model and factors under
17 subsection (h).

18 (9) Draft proposed regulations and proposed legislation
19 based on the commission's findings.

20 (10) Issue a report of the commission's findings and
21 recommendations to the Governor, the President pro tempore of
22 the Senate, the Majority Leader and Minority Leader of the
23 Senate, the Public Health and Welfare Committee of the Senate,
24 the Speaker of the House of Representatives, the Majority Leader
25 and Minority Leader of the House of Representatives, the Health
26 Committee of the House of Representatives, the Human Services
27 Committee of the House of Representatives, the Secretary of
28 Health and the Secretary of Drug and Alcohol Programs not later
29 than one year after the effective date of this section.

30 Section 2. This act shall take effect immediately.