

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 124 Session of 2017

INTRODUCED BY KAUFER, READSHAW, FEE, DRISCOLL, TAYLOR, MURT, MILLARD, RADER, B. MILLER, PICKETT, DAVIS, MULLERY, McNEILL, WATSON, BOBACK, D. MILLER, SIMMONS, SAYLOR, CUTLER AND COOK, FEBRUARY 3, 2017

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, FEBRUARY 3, 2017

AN ACT

1 Amending the act of December 20, 1985 (P.L.457, No.112),
 2 entitled "An act relating to the right to practice medicine
 3 and surgery and the right to practice medically related acts;
 4 reestablishing the State Board of Medical Education and
 5 Licensure as the State Board of Medicine and providing for
 6 its composition, powers and duties; providing for the
 7 issuance of licenses and certificates and the suspension and
 8 revocation of licenses and certificates; provided penalties;
 9 and making repeals," providing for provision of buprenorphine
 10 and legend drugs and further providing for reasons for
 11 refusal, revocation, suspension or other corrective actions
 12 against a licensee or certificate holder.

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

15 Section 1. The act of December 20, 1985 (P.L.457, No.112),
 16 known as the Medical Practice Act of 1985, is amended by adding
 17 a section to read:

18 Section 36.3. Provision of buprenorphine and legend drugs.

19 (a) Duty.--The board shall promulgate guidelines that
 20 restrict the circumstances under which buprenorphine may be
 21 administered to a patient for the purpose of treating drug

1 dependence or addiction. The promulgated guidelines shall
2 require that the provision of buprenorphine may only occur in
3 conjunction with an opioid treatment program that meets all of
4 the following:

5 (1) Is the subject of a current and valid certification
6 from the Substance Abuse and Mental Health Services
7 Administration of the United States Department of Health and
8 Human Services.

9 (2) Is comprehensive and includes counseling and
10 behavioral therapy.

11 (b) Legend drugs.--The board may adopt guidelines that
12 establish standards and procedures for prescribing a legend drug
13 to treat opioid dependence or addiction. The board may limit the
14 application of the guidelines to treatment provided through an
15 office-based practice or other practice type or location
16 specified by the board.

17 Section 2. Section 41 of the act is amended by adding a
18 paragraph to read:

19 Section 41. Reasons for refusal, revocation, suspension or
20 other corrective actions against a licensee or
21 certificate holder.

22 The board shall have authority to impose disciplinary or
23 corrective measures on a board-regulated practitioner for any or
24 all of the following reasons:

25 * * *

26 (12) Violating section 36.3(a). The board shall
27 promulgate guidelines providing for specific periods of
28 license suspension or revocation for dispensing, injecting,
29 implanting or prescribing buprenorphine in violation of
30 section 36.3.

1 Section 3. This act shall take effect in 60 days.