
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 575 Session of
2017

INTRODUCED BY DAVIS, MURT, DRISCOLL, D. COSTA, O'NEILL, McNEILL,
KULIK, DONATUCCI, PASHINSKI AND KORTZ, FEBRUARY 21, 2017

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 21, 2017

AN ACT

1 Amending the act of April 14, 1972 (P.L.233, No.64), entitled
2 "An act relating to the manufacture, sale and possession of
3 controlled substances, other drugs, devices and cosmetics;
4 conferring powers on the courts and the secretary and
5 Department of Health, and a newly created Pennsylvania Drug,
6 Device and Cosmetic Board; establishing schedules of
7 controlled substances; providing penalties; requiring
8 registration of persons engaged in the drug trade and for the
9 revocation or suspension of certain licenses and
10 registrations; and repealing an act," further providing for
11 records of distribution of controlled substances.

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

14 Section 1. Section 12 of the act of April 14, 1972 (P.L.233,
15 No.64), known as The Controlled Substance, Drug, Device and
16 Cosmetic Act, is amended by adding a subsection to read:

17 Section 12. Records of Distribution of Controlled
18 Substances.--* * *

19 (d) (1) An official State prescription form shall be
20 prepared and issued by the secretary in groups of 25 or 100
21 forms, which forms shall be serially numbered.

22 (2) Unless prescribed electronically, controlled substances

1 in Schedules II, III, IV and V shall be prescribed or dispensed
2 only on an official State prescription form.

3 (3) The secretary may make rules and regulations, consistent
4 with this act, with respect to the retention or filing of the
5 forms, including information required to be filed with the
6 secretary, the maximum number of forms which may be issued at
7 any one time, the period of time after issuance by the secretary
8 that the forms shall remain valid for use, the manner in which
9 practitioners associated with institutional dispensers may use
10 the forms or any other matter of procedure or detail necessary
11 to effectuate or clarify the provisions of this section and to
12 secure proper and effective enforcement of the provisions of
13 this act.

14 (4) Every practitioner who prescribes a controlled substance
15 shall implement and maintain adequate safeguards and security
16 measures of official State prescription forms in order to assure
17 against loss, destruction, theft or unauthorized use of the
18 forms as follows:

19 (i) A practitioner shall maintain a record of the
20 disposition of all forms, including, but not limited to, use as
21 a prescription, cancellation, return, loss, destruction,
22 unauthorized use and nonreceipt. The forms may be used only by
23 the practitioner to whom they are issued and are not
24 transferable.

25 (ii) A practitioner shall immediately notify the department
26 on forms supplied by the department of the loss, destruction,
27 theft or unauthorized use of official State prescription forms
28 issued to the practitioner as well as the failure to receive
29 official State prescription forms within a reasonable time after
30 ordering them from the secretary. Upon receipt of notification,

1 the secretary shall take appropriate action, including notifying
2 the Office of Attorney General.

3 (5) This subsection shall not apply to veterinarians.

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