
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 640 Session of
2017

INTRODUCED BY RAFFERTY, YUDICHAK, COSTA AND VULAKOVICH,
APRIL 20, 2017

REFERRED TO HEALTH AND HUMAN SERVICES, APRIL 20, 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 twenty-five
21 (25) or one hundred (100) forms, which forms shall be serially
22 numbered.

1 (2) Unless prescribed electronically, controlled substances
2 in Schedules II, III, IV and V shall be prescribed or dispensed
3 only on an official State prescription form.

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

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

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

26 (ii) Such practitioner shall immediately notify the
27 department on forms supplied by the department of the loss,
28 destruction, theft or unauthorized use of any official State
29 prescription forms issued to the practitioner as well as the
30 failure to receive official State prescription forms within a

1 reasonable time after ordering the forms from the secretary.
2 Upon receipt of notification, the secretary shall take
3 appropriate action, including notification to the Office of
4 Attorney General.

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

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