

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 145 Session of 2021

INTRODUCED BY SAPPEY, GALLOWAY, HOWARD, KINSEY, HILL-EVANS,
 PISCIOTTANO, D. WILLIAMS, CIRESI, SANCHEZ, DRISCOLL,
 PASHINSKI, NEILSON, O'MARA, BRADFORD, ISAACSON, FREEMAN AND
 WEBSTER, JANUARY 13, 2021

REFERRED TO COMMITTEE ON HEALTH, JANUARY 13, 2021

AN ACT

1 Amending the act of September 27, 1961 (P.L.1700, No.699),
 2 entitled "An act relating to the regulation of the practice
 3 of pharmacy, including the sales, use and distribution of
 4 drugs and devices at retail; and amending, revising,
 5 consolidating and repealing certain laws relating thereto,"
 6 further providing for State Board of Pharmacy.

7 The General Assembly of the Commonwealth of Pennsylvania
 8 hereby enacts as follows:

9 Section 1. Section 6(k)(9) of the act of September 27, 1961
 10 (P.L.1700, No.699), known as the Pharmacy Act, is amended to
 11 read:

12 Section 6. State Board of Pharmacy.--* * *

13 (k) The board shall have the power, and it shall be its
 14 duty:

15 * * *

16 (9) To promulgate rules and regulations to effectuate the
 17 purposes of this act and to regulate the distribution of drugs
 18 and devices and the practice of pharmacy for the protection and
 19 promotion of the public health, safety and welfare.

1 Notwithstanding any other law or regulation, the rules and
2 regulations promulgated under this clause shall include
3 provisions requiring warning labels on containers used by a
4 pharmacist or nonresident pharmacy to dispense a prescription
5 for a controlled substance or other drug that contains an
6 opiate. The warning label requirement shall not apply if the
7 opiate is to be administered to a patient in an institution. For
8 the purposes of this clause, the term "opiate" shall have the
9 meaning given to it in section 2 of the act of April 14, 1972
10 (P.L.233, No.64), known as "The Controlled Substance, Drug,
11 Device and Cosmetic Act." The regulations shall include:

12 (i) Information regarding the location, color and size of
13 the warning label.

14 (ii) The content of the warning label, which shall be in a
15 bold, easily readable font and shall be the same as or similar
16 to the following warning: "This drug is or contains an opiate,
17 which carries a high risk of addiction, overdose and death."

18 * * *

19 Section 2. Any regulations inconsistent with this act are
20 abrogated to the extent of any inconsistency with this act.

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