

House Bill 400

By: Representatives Evans of the 42nd, Broadrick of the 4th, Hill of the 3rd, Buckner of the 137th, and Beverly of the 143rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated,
2 relating to the regulation of controlled substances, so as to provide limitations on
3 prescriptions for opioids; to define a term; to provide for information to patients; to provide
4 for disposal of unused opioids; to provide for annual reporting to the Department of Public
5 Health; to provide for related matters; to provide a short title; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Opiate Abuse Prevention Act."

10 **SECTION 2.**

11 Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to the
12 regulation of controlled substances, is amended by adding a new Code section to read as
13 follows:

14 "16-13-56.1.

15 (a) As used in this Code section, the term 'opioids' means opiates, opioids, opioid
16 analgesics, and opioid derivatives.

17 (b) A prescriber shall not issue a prescription to a patient for an opioid without first
18 attempting a nonopioid prescription to alleviate pain; provided, however, that this shall not
19 apply to a patient in hospice care.

20 (c) A prescriber shall not issue a prescription to a patient for an opioid for more than a
21 seven-day supply and no refills shall be permitted.

22 (d) A prescriber who issues a prescription for an opioid shall provide the patient receiving
23 the prescription information on the risks of using opioids and the manner of disposing of
24 any unused opioids.

25 (e) A prescriber who issues prescriptions for opioids shall accept unused opioids from any
26 patient for disposal by the prescriber. Any such prescriber shall post a notice in a
27 prominent location in his or her office or facility that unused opioids may be returned to
28 the prescriber.

29 (f) A prescriber who issues any prescriptions for opioids shall annually report to the
30 Department of Public Health aggregate nonidentifying data on the prescriptions issued by
31 such prescriber for opioids. The Department of Public Health shall be authorized to
32 establish requirements, including forms and timelines, for the submission of data pursuant
33 to this subsection."

34 **SECTION 3.**

35 All laws and parts of laws in conflict with this Act are repealed.