

Senate Bill 441

By: Senators Merritt of the 9th, Esteves of the 6th, Jones II of the 22nd, Jackson of the 41st and Halpern of the 39th

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 revise notification requirements
3 for prescribers prescribing opioids; to require prescribers to discuss with patients, their
4 parent, or guardian the risks of addiction, dependence, and fatal overdose associated with
5 opioid use and all available alternative treatments; to require prescribers to document the
6 notification in the patient's file; to require prescribers to provide information regarding the
7 safe disposal, if available, to patients, their parent, or guardian; to exclude prescribers for
8 certain patient groups from this Code section; to provide for related matters; to repeal
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to the
13 regulation of controlled substances, is amended by revising Code Section 16-13-56.1,
14 relating to opioids defined and notification of addictive risks, as follows:

15 "16-13-56.1.

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

18 ~~(b) A prescriber who issues a prescription for an opioid shall provide the patient receiving~~
19 ~~the prescription information on the addictive risks of using opioids and information on~~
20 ~~options available for safely disposing of any unused opioids where such options exist.~~
21 ~~Such information may be provided verbally or in writing.~~

22 (b) Prior to issuing the initial prescription of an opioid in a course of treatment for acute
23 or chronic pain and again prior to issuing the third prescription of the course of treatment,
24 a prescriber shall discuss with the patient, or the patient's parent or guardian if the patient
25 is under 18 years of age and is not an emancipated minor, the risks associated with the
26 drugs being prescribed, including but not limited to:

27 (1) The risks of addiction and overdose associated with opioids and the dangers of taking
28 opioids with alcohol, benzodiazepines, and other central nervous system depressants;

29 (2) The reasons why the prescription is necessary;

30 (3) Alternative treatments that may be available; and

31 (4) Risks associated with the use of opioids, specifically that opioids are highly
32 addictive, and that even when taken as prescribed, there is a risk of developing physical
33 or psychological dependence, and that the risks of taking more opioids than prescribed,
34 or mixing sedatives, benzodiazepines, or alcohol with opioids, can result in fatal
35 respiratory depression.

36 (c) The prescriber shall include a note in the patient's medical record that the patient or the
37 patient's parent or guardian, as applicable, has discussed with the prescriber the risks of
38 developing a physical or psychological dependence on opioids and alternative treatments
39 that may be available.

40 (d) The prescriber shall provide to the patient or the patient's parent or guardian, as
41 applicable, information on options available for safely disposing of any unused opioids
42 where such options exist.

43 (e) This Code section shall not apply to a prescription for a patient who is currently in
44 active treatment for cancer, receiving hospice care from a licensed hospice or palliative
45 care facility, or is a resident of a long-term care facility, or to any medications that are
46 being prescribed for use in the treatment of substance abuse or opioid dependence."

47 **SECTION 2.**

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