

SENATE BILL No. 146

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-1-9.7.

Synopsis: Prescribing of controlled substance. Requires that a controlled substance prescription be issued electronically after June 30, 2020, and establishes a Class B infraction for a prescriber who fails to comply. Requires a prescriber to obtain three hours of continuing education every two years on the prescribing of opioid medication in order to continue issuing prescriptions for opioid medication, and establishes a Class B infraction for failure to comply. Requires the medical licensing board of Indiana to study and determine, before November 1, 2019, whether a waiver is necessary for the electronic prescription requirement and to report back to the general assembly. Sets forth requirements for the report.

Effective: July 1, 2019.

Merritt

January 3, 2019, read first time and referred to Committee on Health and Provider Services.



First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 146

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-1-9.7-2.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: **Sec. 2.5. (a) After June 30, 2020, if a**
4 **prescriber prescribes a controlled substance medication, the**
5 **prescription must be issued electronically.**

6 (b) A prescriber who violates this section commits a Class B
7 infraction.

8 SECTION 2. IC 25-1-9.7-5 IS ADDED TO THE INDIANA CODE
9 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2019]: **Sec. 5. (a) Each prescriber shall complete three (3)**
11 **additional hours of continuing education in accordance with**
12 **IC 25-1-4 every two (2) years on the prescribing of opioid**
13 **medication in order to continue issuing prescriptions for opioid**
14 **medication.**

15 (b) A prescriber who violates this section commits a Class B
16 infraction.

17 (c) Each regulating board of a prescriber shall adopt rules



1 under IC 4-22-2 to implement this section.

2 SECTION 3. [EFFECTIVE JULY 1, 2019] (a) As used in this
3 SECTION, "board" refers to the medical licensing board of
4 Indiana created by IC 25-22.5-2-1.

5 (b) Before November 1, 2019, the board shall study and
6 determine whether a waiver from the electronic controlled
7 substance prescription requirement set forth in IC 25-1-9.7-2.5, as
8 added by this act, is necessary because of the lack of capability of
9 Indiana prescribers to prescribe electronically.

10 (c) If the board determines that a waiver is necessary, the board
11 shall recommend in writing to the general assembly in an
12 electronic format under IC 5-14-6 to establish a waiver process to
13 exempt a provider from the electronic prescription requirement.
14 The board shall include in the recommendation the following:

15 (1) The proper agency or board to oversee and administer the
16 waiver process.

17 (2) The reasons a waiver should be awarded.

18 (3) The length of time a waiver should be awarded.

19 (4) The length of time a waiver program is needed.

20 (d) This SECTION expires December 31, 2019.

