

SENATE BILL No. 335

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, 2019, 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, 2018, 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, 2018.

Grooms

January 4, 2018, read first time and referred to Committee on Health and Provider Services.



Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

SENATE BILL No. 335

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, 2018]: **Sec. 2.5. (a) After June 30, 2019, if a**
4 **prescriber prescribes a controlled substance medication, the**
5 **prescription must be issued electronically.**

6 **(b) A prescriber that 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, 2018]: **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 that 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, 2018] (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, 2018, 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, 2018.

