

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1774 Session of 2021

INTRODUCED BY FLOOD, PICKETT, JAMES, HENNESSEY, MILLARD, SCHLEGEL CULVER, CIRESI, SAYLOR AND M. MACKENZIE, AUGUST 11, 2021

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, SEPTEMBER 21, 2021

AN ACT

1 Amending the act of October 27, 2014 (P.L.2911, No.191),
2 entitled "An act providing for prescription drug monitoring;
3 creating the ABC-MAP Board; establishing the Achieving Better
4 Care by Monitoring All Prescriptions Program; and providing
5 for unlawful acts and penalties," further providing for
6 ACCESS TO PRESCRIPTION INFORMATION AND FOR expiration; and <--
7 making an editorial change.

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

10 Section 1. The definition of "licensed health care facility"
11 in section 3 of the act of October 27, 2014 (P.L.2911, No.191),
12 known as the Achieving Better Care by Monitoring All
13 Prescriptions Program (ABC-MAP) Act, is amended to read:

14 Section 3. Definitions.

15 The following words and phrases when used in this act shall
16 have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 * * *

19 "Licensed health care facility." A health care facility that

1 is licensed under Article X of the act of June 13, 1967 (P.L.31,
2 No.21), known as the [Public Welfare] Human Services Code, or
3 the act of July 19, 1979 (P.L.130, No.48), known as the Health
4 Care Facilities Act.

5 * * *

6 SECTION 2. SECTION 9(B) (7) OF THE ACT, AMENDED FEBRUARY 12, <--
7 2020 (P.L.23, NO.8), IS AMENDED AND THE SUBSECTION IS AMENDED BY
8 ADDING A PARAGRAPH TO READ:

9 SECTION 9. ACCESS TO PRESCRIPTION INFORMATION.

10 * * *

11 (B) AUTHORIZED USERS.--THE FOLLOWING INDIVIDUALS MAY QUERY
12 THE SYSTEM ACCORDING TO PROCEDURES DETERMINED BY THE BOARD AND
13 WITH THE FOLLOWING LIMITATIONS:

14 * * *

15 (7) DESIGNATED COMMONWEALTH PERSONNEL AND CONTRACTED
16 STAFF WHO ARE RESPONSIBLE FOR THE DEVELOPMENT AND EVALUATION
17 OF QUALITY IMPROVEMENT STRATEGIES, PROGRAM INTEGRITY
18 INITIATIVES OR CONDUCTING INTERNAL COMPLIANCE REVIEWS AND
19 DATA REPORTING FOR THE FOLLOWING:

20 (I) THE MEDICAL ASSISTANCE PROGRAM[].

21 (II) THE CHILDREN'S HEALTH INSURANCE PROGRAM (CHIP)
22 [].

23 (III) THE PHARMACEUTICAL ASSISTANCE CONTRACT FOR THE
24 ELDERLY (PACE) OR PHARMACEUTICAL ASSISTANCE CONTRACT FOR
25 THE ELDERLY NEEDS ENHANCEMENT TIER (PACENET).

26 (IV) THE CATASTROPHIC LOSS BENEFITS CONTINUATION
27 FUND.

28 (V) THE WORKERS' COMPENSATION SECURITY FUND.

29 * * *

30 (14) PERSONNEL FROM THE DEPARTMENT OF LABOR AND INDUSTRY

1 ENGAGED IN THE ADMINISTRATION AND REGULATION OF MEDICAL FEE
2 REVIEW DISPUTES AND UTILIZATION REVIEW OF MEDICAL TREATMENT
3 UNDER THE ACT OF JUNE 2, 1915 (P.L.736, NO.338), KNOWN AS THE
4 WORKERS' COMPENSATION ACT.

5 * * *

6 Section 2 3. Section 39 of the act is amended to read: <--

7 Section 39. Expiration.

8 This act shall expire [June 30, 2022] December 31, 2028.

9 Section 3 4. This act shall take effect ~~in 60 days~~ <--

10 IMMEDIATELY. <--