
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1943 Session of
2019

INTRODUCED BY ORTITAY, ROTHMAN, ZIMMERMAN, CALTAGIRONE, MOUL,
READSHAW, HEFFLEY, McNEILL AND GAYDOS, OCTOBER 15, 2019

REFERRED TO COMMITTEE ON HEALTH, OCTOBER 15, 2019

AN ACT

1 Amending the act of April 14, 1972 (P.L.233, No.64), entitled
2 "An act relating to the manufacture, sale and possession of
3 controlled substances, other drugs, devices and cosmetics;
4 conferring powers on the courts and the secretary and
5 Department of Health, and a newly created Pennsylvania Drug,
6 Device and Cosmetic Board; establishing schedules of
7 controlled substances; providing penalties; requiring
8 registration of persons engaged in the drug trade and for the
9 revocation or suspension of certain licenses and
10 registrations; and repealing an act," providing for
11 prescribing of opioids and penalties.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. The act of April 14, 1972 (P.L.233, No.64), known
15 as The Controlled Substance, Drug, Device and Cosmetic Act, is
16 amended by adding a section to read:

17 Section 11.1. Prescribing of opioids; penalties.--(a) The
18 department shall promulgate regulations for the prescribing of
19 opioids for use in treatment of the following:

20 (1) Pediatrics and adolescents.

21 (2) Orthopedics and sports medicine.

22 (3) Acute anxiety and insomnia.

1 (4) Pregnant patients who have an opioid addiction.

2 (5) Geriatric patients.

3 (6) Dental patients.

4 (7) Emergency patients.

5 (8) Patients with chronic noncancer pain.

6 (9) Any other patient who is prescribed an opioid.

7 (b) The department shall impose an administrative penalty on
8 a prescriber for a violation of the regulations under subsection

9 (a) as follows:

10 (1) For a first violation, five hundred dollars (\$500).

11 (2) For a second violation, one thousand five hundred
12 dollars (\$1,500).

13 (3) For a third violation, three thousand dollars (\$3,000).

14 (4) For a fourth violation, the department shall notify the
15 prescriber's licensure board of the violation and the licensure
16 board shall revoke the prescriber's license.

17 (c) As used in this section, the term "prescriber" shall
18 have the same meaning as provided in section 3 of the act of
19 October 27, 2014 (P.L.2911, No.191), known as the "Achieving
20 Better Care by Monitoring All Prescriptions Program (ABC-MAP)
21 Act."

22 Section 2. This act shall take effect in 60 days.