

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 395 Session of 2017

INTRODUCED BY DiGIROLAMO, DAVIS, GODSHALL, CORBIN, DRISCOLL, JAMES, MURT, DIAMOND, SCHWEYER, WARD, STAATS, McNEILL, D. COSTA, READSHAW, RAVENSTAHL, CALTAGIRONE, DeLUCA, FABRIZIO, BENNINGHOFF, HILL-EVANS, KINSEY, FARRY, NELSON, MAHER AND ROZZI, FEBRUARY 8, 2017

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, APRIL 25, 2017

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 requirements for prescribers.

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

9 Section 1. Section 8(a.1) of the act of October 27, 2014
10 (P.L.2911, No.191), known as the Achieving Better Care by
11 Monitoring All Prescriptions Program (ABC-MAP) Act, added
12 November 2, 2016 (P.L.980, No.124), is amended to read:

13 Section 8. Requirements for prescribers.

14 \* \* \*

15 (a.1) Query not required.--

16 (1) If a patient has been admitted to a licensed health
17 care facility [or], is in observation status in a licensed <--
18 health care facility OR IS UNDER THE CARE OF A HOSPICE, AS <--

1 DEFINED IN SECTION 802.1 OF THE ACT OF JULY 19, 1979  
2 (P.L.130, NO.48), KNOWN AS THE HEALTH CARE FACILITIES ACT,  
3 the prescriber does not need to query the system after the  
4 initial query under subsection (a) (1) as long as the patient <--  
5 ~~remains admitted to the licensed health care facility or~~  
6 ~~remains in observation status in a licensed health care~~  
7 ~~facility.~~ LONG AS THE PATIENT REMAINS: <--

8 (I) ADMITTED TO THE LICENSED HEALTH CARE FACILITY  
9 [OR REMAINS];

10 (II) IN OBSERVATION STATUS IN A LICENSED HEALTH CARE  
11 FACILITY[.]; OR

12 (III) UNDER THE CARE OF A HOSPICE.

13 (2) If a patient has been prescribed a non-narcotic  
14 Schedule V controlled substance, as defined in the act of  
15 April 14, 1972 (P.L.233, No.64), known as The Controlled  
16 Substance, Drug, Device and Cosmetic Act, that treats an  
17 epilepsy or seizure disorder, the prescriber does not need to  
18 query the system under subsection (a) (1).

19 \* \* \*

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