

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 301 Session of 2017

INTRODUCED BY EICHELBERGER, GREENLEAF, BREWSTER, WARD,
HUTCHINSON, RAFFERTY, WHITE, SCAVELLO AND VULAKOVICH,
FEBRUARY 14, 2017

REFERRED TO HEALTH AND HUMAN SERVICES, FEBRUARY 14, 2017

AN ACT

1 Amending the act of April 14, 1972 (P.L.221, No.63), entitled,
2 as amended, "An act establishing the Pennsylvania Advisory
3 Council on Drug and Alcohol Abuse; imposing duties on the
4 Department of Health to develop and coordinate the
5 implementation of a comprehensive health, education and
6 rehabilitation program for the prevention and treatment of
7 drug and alcohol abuse and drug and alcohol dependence;
8 providing for emergency medical treatment; providing for
9 treatment and rehabilitation alternatives to the criminal
10 process for drug and alcohol dependence; and making repeals,"
11 further providing for definitions; and providing for specific
12 powers and duties with regard to opioid addiction treatment.

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

15 Section 1. The definition of "council" in section 2(b) of
16 the act of April 14, 1972 (P.L.221, No.63), known as the
17 Pennsylvania Drug and Alcohol Abuse Control Act, is amended and
18 the subsection is amended by adding definitions to read:

19 Section 2. Definitions:

20 * * *

21 (b) As used in this act:

22 "Bureau" means the Bureau of Drug and Alcohol Programs in the

1 Department of Health or any successor entity that becomes
2 responsible for narcotic and opioid treatment programs.

3 * * *

4 "Council" means the Pennsylvania Advisory Council on Drug and
5 Alcohol Abuse established by this act and transferred to the
6 Department of Health by Reorganization Plan No. 4 on April 21,
7 1981.

8 * * *

9 "Division" means the Division of Drug and Alcohol Program
10 Licensure within the Department of Health or any successor
11 entity that becomes responsible for licensing drug or alcohol
12 programs.

13 * * *

14 "Methadone" means a synthetic opioid agonist that binds with
15 opioid receptors in the brain to initiate drug actions that
16 mimic the effects of opiates.

17 * * *

18 "Narcotic treatment program" means a program for chronic drug
19 users that either administers or dispenses agents under a
20 narcotic treatment physician's order for detoxification or
21 maintenance purposes, or provides a comprehensive range of
22 medical and rehabilitative services to alleviate adverse
23 medical, psychological or physical effects incident to an
24 addiction to narcotics, or both.

25 "Opioid addiction treatment" means a narcotic treatment
26 program that involves the dispensing of an opioid agonist or
27 antagonist treatment medication, along with appropriate or
28 necessary medical and rehabilitative services to an individual
29 to alleviate the adverse medical, psychological or physical
30 effects incident to opiate addiction. This term encompasses

1 detoxification treatment, short-term detoxification treatment,
2 long-term detoxification treatment, maintenance treatment,
3 comprehensive maintenance treatment and interim maintenance
4 treatment.

5 * * *

6 Section 2. The act is amended by adding a section to read:

7 Section 4.1. Specific Powers and Duties with Regard to

8 Opioid Addiction Treatment.--The department, in conjunction with

9 the bureau and council, shall develop and adopt uniform State

10 standards for providers of opioid addiction treatment designed

11 to ensure the safety of both the patient and the general public

12 in connection with the utilization of opioid agonists such as

13 methadone. At a minimum, the standards shall be evidence-based

14 to the extent possible and shall:

15 (1) Require a clinic providing opioid addiction treatment to

16 be open seven days per week, three hundred sixty-five days per

17 year to limit take-home dosages or to otherwise provide such

18 provider accessibility to its patients.

19 (2) Require a clinic providing opioid addiction treatment to

20 provide information on antidotes such as Narcan used to counter

21 the effects of opioid overdose to a patient starting methadone

22 treatment and to provide an antidote if requested by the patient

23 or otherwise deemed medically appropriate.

24 (3) Require a clinic providing opioid addiction treatment to

25 test its patients for usage of benzodiazepines at intake and

26 regularly on a random basis.

27 (4) Require a clinic providing opioid addiction treatment to

28 obtain a signed waiver or authorization before providing

29 methadone to a patient who is using benzodiazepines from the

30 psychiatrist or physician who has prescribed benzodiazepine

1 treatment for that patient.

2 (5) Prohibit permission to a new patient to take methadone
3 home for the first six months of treatment.

4 (6) Develop protocols with regard to the usage of tests
5 concerning serum methadone levels and electrocardial activity
6 with regard to determination of proper patient dosage levels.

7 (7) Require reporting to local law enforcement of all known
8 methadone-related deaths.

9 (8) Require development and usage of treatment plans and
10 protocols for patients that are designed to achieve drug
11 abstinence.

12 (9) Require a methadone clinic or provider who prescribes
13 methadone to immediately revoke any take-home permissions upon
14 learning of arrest or conviction of a patient for driving under
15 the influence.

16 (10) Prohibit a methadone clinic or provider from
17 prescribing an initial dose of methadone, unless the patient has
18 made arrangements for a designated driver, and require
19 development of protocols to assess the potential driving
20 impairment of a patient receiving an increase in methadone
21 dosage.

22 (11) Require random, regular testing for any and all legal
23 or illegal substances that, in combination with methadone, would
24 increase the probability of impaired driving or otherwise
25 present a risk to the safety of the public or the patient.

26 Section 3. This act shall take effect immediately.