

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to the regulation of controlled substances, so as to provide for limitations on prescribing opioids; to provide for definitions; to provide for exceptions; to provide for penalties; to provide for related matters; to provide for a short title; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Scott Hansen Act."

SECTION 2.

Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to the regulation of controlled substances, is amended by adding a new Code section to read as follows:

"16-13-56.2.

(a) As used in this Code section, the term:

(1) 'Acute pain' means pain that is the normal, predicted physiological response to a noxious chemical or thermal or mechanical stimulus. Acute pain is typically associated with invasive procedures, trauma, and disease and is usually time-limited.

(2) 'Administer' means to apply a prescription drug directly to a patient by any means within the prescriber's scope of practice. Administer does not mean delivering, dispensing, or distributing a prescription drug for later use.

(3) 'Advanced and progressive disease' has the same meaning as in Code Section 31-7-172.

(4) 'Chronic pain' has the same meaning as in Code Section 43-34-282.

(5) 'Hospice care' has the same meaning as in Code Section 31-7-172.

(6) 'Long-term care facility' has the same meaning as in Code Section 16-5-100.

- 26 (7) 'Opioid' means an opiate, opioid, opioid analgesic, or opioid derivative.
 27 (8) 'Palliative care' has the same meaning as in Code Section 31-7-172.
 28 (9) 'Terminally ill' has the same meaning as in Code Section 31-7-172.
 29 (b) A prescriber who is authorized to prescribe Schedule II controlled substances under the
 30 laws of this state shall not prescribe:
 31 (1) To a patient any combination of opioid medication in an aggregate amount in excess
 32 of 100 morphine milligram equivalents of opioid medication per day;
 33 (2) To a patient under treatment for chronic pain, more than a 30 day supply of an opioid
 34 medication within a 30 day period; or
 35 (3) To a patient under treatment for acute pain, more than a seven-day supply of an
 36 opioid medication within a seven-day period unless the opioid medication is labeled by
 37 the federal Food and Drug Administration to be dispensed only in a stock bottle that
 38 exceeds a seven-day supply as prescribed, in which case the amount dispensed may not
 39 exceed a 14 day supply.
 40 (c) The limitations in subsection (b) of this Code section shall not apply if the prescriber
 41 is:
 42 (1) Prescribing an opioid medication to a patient for:
 43 (A) Pain associated with active and aftercare cancer treatment;
 44 (B) Pain associated with a fracture or compound fracture;
 45 (C) Post-operative pain management resulting from a surgical procedure;
 46 (D) Palliative care for an advanced and progressive disease;
 47 (E) Hospice care if terminally ill; or
 48 (F) Medication assisted treatment for a substance abuse disorder; or
 49 (2) Directly ordering or administering a benzodiazepine or opioid medication:
 50 (A) To a patient in an emergency room setting, an inpatient hospital setting, or a
 51 long-term care facility; or
 52 (B) In connection with a surgical procedure.
 53 (d)(1) Any prescriber who violates this Code section shall be subject to a fine of \$250.00
 54 per violation, not to exceed \$5,000.00 per calendar year.
 55 (2) A prescriber who violates this Code section shall be held administratively
 56 accountable to the state regulatory board governing such prescriber for such violation."

57 **SECTION 3.**

58 All laws and parts of laws in conflict with this Act are repealed.