

# HOUSE BILL No. 1131

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-18-2-263.7; IC 16-42-19.

**Synopsis:** Opiate risk information. Provides that before issuing an initial prescription for an opiate, a practitioner shall specifically discuss with the patient who is at least 18 years of age or the patient's parent or guardian certain information concerning opiates. Requires the practitioner to include a note of the conversation in the patient's medical record. Creates an exception for patients receiving hospice care.

**Effective:** July 1, 2018.

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## Davisson

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January 4, 2018, read first time and referred to Committee on Public Health.

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Second Regular Session of the 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

## HOUSE BILL No. 1131

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-18-2-263.7 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2018]: **Sec. 263.7. "Opiate", for purposes of**  
4 **IC 16-42-19, has the meaning set forth in IC 16-42-19-4.5.**

5 SECTION 2. IC 16-42-19-4.5 IS ADDED TO THE INDIANA  
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2018]: **Sec. 4.5. As used in this chapter,**  
8 **"opiate" has the meaning set forth in IC 35-48-1-21.**

9 SECTION 3. IC 16-42-19-11.5 IS ADDED TO THE INDIANA  
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2018]: **Sec. 11.5. (a) Before issuing an initial**  
12 **prescription for an opiate, a practitioner authorized to issue the**  
13 **prescription shall specifically discuss with the patient who is at**  
14 **least eighteen (18) years of age, or the patient's parent or guardian**  
15 **if the patient is less than eighteen (18) years of age, all of the**  
16 **following:**

17 (1) **The risks of developing a dependence on or addiction to**



- 1           **the opiate.**
- 2           **(2) The risks of potential overdose or death.**
- 3           **(3) The adverse risks of concurrent use of alcohol or other**
- 4           **psychoactive medications while taking an opiate.**
- 5           **(4) The patient's or the minor patient's parent's or guardian's**
- 6           **responsibility to safeguard all medications.**
- 7           **(5) If the practitioner deems appropriate, any alternative**
- 8           **treatments that may be available.**
- 9           **(b) A practitioner who engages in a discussion required under**
- 10          **subsection (a) shall include a note in the patient's medical record**
- 11          **documenting that the discussion took place.**
- 12          **(c) The discussion required under subsection (a) is not required**
- 13          **before issuing a prescription to a patient who is currently receiving**
- 14          **hospice care from a hospice program licensed under IC 16-25-3.**

