

# SENATE BILL No. 73

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-1-9.7-2; IC 25-22.5-13-8.

**Synopsis:** Opioid prescriptions. Allows a prescriber to issue an initial prescription of an opioid for more than a seven day supply if the patient has chronic intractable pain.

**Effective:** July 1, 2021.

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## Kruse

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January 4, 2021, read first time and referred to Committee on Health and Provider Services.

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First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

## SENATE BILL No. 73

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

1 SECTION 1. IC 25-1-9.7-2, AS AMENDED BY P.L.156-2020,  
2 SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2021]: Sec. 2. (a) Except as provided in subsection (b), a  
4 prescriber may issue a prescription for an opioid only if the following  
5 limitations are met:  
6 (1) If the prescription is for an adult who is being prescribed an  
7 opioid for the first time by the prescriber, the initial prescription  
8 may not exceed a seven (7) day supply.  
9 (2) If the prescription is for a child who is less than eighteen (18)  
10 years of age, the prescription may not exceed a seven (7) day  
11 supply.  
12 (3) If the prescription is for an animal that is being prescribed an  
13 opioid for the first time by the veterinarian, the initial prescription  
14 may not exceed a seven (7) day supply.  
15 (b) The limitations set forth in subsection (a) do not apply under any  
16 of the following circumstances:  
17 (1) The prescriber is issuing the prescription for the treatment or



1 provision of any of the following:

2 (A) Cancer.

3 (B) Palliative care.

4 (C) Medication-assisted treatment for a substance use disorder.

5 **(D) Chronic intractable pain.**

6 ~~(D)~~ **(E)** A condition that is adopted by rule by the medical  
7 licensing board under IC 25-22.5-13-8 to be necessary to be  
8 exempted from subsection (a).

9 (2) If, in the professional judgment of a prescriber, a patient  
10 requires more than the prescription limitations specified in  
11 subsection (a).

12 (c) If a prescriber:

13 (1) determines that a drug other than an opioid is not appropriate;  
14 and

15 (2) uses an exemption specified in subsection (b)(1)(B),  
16 **(b)(1)(D)**, or (b)(2) and issues a prescription for a patient that  
17 exceeds the limitations set forth in subsection (a);

18 the prescriber shall document in the patient's medical record the  
19 indication that a drug other than an opiate was not appropriate and that  
20 the patient is receiving palliative care, **treatment for chronic**  
21 **intractable pain**, or that the prescriber is using the prescriber's  
22 professional judgment for the exemption.

23 SECTION 2. IC 25-22.5-13-8, AS ADDED BY P.L.182-2017,  
24 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2021]: Sec. 8. The medical licensing board of Indiana shall,  
26 in consultation with the state department of health, the office of the  
27 secretary of family and social services, and representatives of  
28 prescriber stakeholders, adopt:

29 (1) emergency rules under IC 4-22-2-37.1 before December 1,  
30 2017; and

31 (2) rules under IC 4-22-2;

32 setting forth the conditions the board considers necessary under  
33 ~~IC 25-1-9.7-2(b)(1)(D)~~ **IC 25-1-9.7-2(b)(1)(E)** to be exempted from  
34 the prescribing limitations set forth in IC 25-1-9.7-2(a).

