

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 396 Session of 2017

INTRODUCED BY DiGIROLAMO, PICKETT, DRISCOLL, SNYDER, TAYLOR, STURLA, O'NEILL, O'BRIEN, MURT, JAMES, KINSEY, TOOHL, LONGIETTI, HEFFLEY, BOBACK, GALLOWAY, D. MILLER, MILLARD, DOWLING, STAATS, A. HARRIS, GAINNEY, DAVIS, KAVULICH, McNEILL, NELSON, READSHAW, CALTAGIRONE, KORTZ, NEILSON, ROZZI, WATSON AND CRUZ, FEBRUARY 8, 2017

AS REPORTED FROM COMMITTEE ON HUMAN SERVICES, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 22, 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) and (b) of the act of October 27, <--~~
10 ~~2014 (P.L.2911, No.191), known as the Achieving Better Care by~~
11 ~~Monitoring All Prescriptions Program (ABC-MAP) Act, amended~~
12 ~~November 2, 2016 (P.L.980, No.124), are amended to read:~~

13 SECTION 1. SECTION 8(A), (A.1) AND (B) OF THE ACT OF OCTOBER <--
14 27, 2014 (P.L.2911, NO.191), KNOWN AS THE ACHIEVING BETTER CARE
15 BY MONITORING ALL PRESCRIPTIONS PROGRAM (ABC-MAP) ACT, AMENDED
16 OR ADDED NOVEMBER 2, 2016 (P.L.980, NO.124), ARE AMENDED TO
17 READ:

1 Section 8. Requirements for prescribers.

2 (a) System query.--A prescriber shall query the system[:

3 (1) for each patient the first time the patient is
4 prescribed a controlled substance by the prescriber for
5 purposes of establishing a baseline and a thorough medical
6 record;

7 (2) if a prescriber believes or has reason to believe,
8 using sound clinical judgment, that a patient may be abusing
9 or diverting drugs; or

10 (3) each time a patient is prescribed an opioid drug
11 product or benzodiazepine by the prescriber] for each patient
12 every time the patient is prescribed a controlled substance
13 by the prescriber.

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15 (A.1) QUERY NOT REQUIRED.--IF A PATIENT HAS BEEN ADMITTED TO <--
16 A LICENSED HEALTH CARE FACILITY [OR], IS IN OBSERVATION STATUS
17 IN A LICENSED HEALTH CARE FACILITY OR IS UNDER THE CARE OF A
18 HOSPICE, AS DEFINED IN SECTION 802.1 OF THE ACT OF JULY 19, 1979
19 (P.L.130, NO.48), KNOWN AS THE HEALTH CARE FACILITIES ACT, THE
20 PRESCRIBER DOES NOT NEED TO QUERY THE SYSTEM AFTER THE INITIAL
21 QUERY UNDER SUBSECTION (A) (1) AS LONG AS THE PATIENT REMAINS
22 ADMITTED TO THE LICENSED HEALTH CARE FACILITY [OR], REMAINS IN
23 OBSERVATION STATUS IN A LICENSED HEALTH CARE FACILITY OR REMAINS
24 UNDER THE CARE OF A HOSPICE.

25 (b) Medical record entries.--A prescriber shall indicate the
26 information obtained from the system in the patient's medical
27 record if[:

28 (1) the individual is a new patient; or

29 (2)] the prescriber determines a drug should not be
30 prescribed or furnished to a patient based upon the

1 information from the system.

2 * * *

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