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HOUSE BILL NO. 293

Offered January 13, 2016

Prefiled January 4, 2016

A BILL to amend and reenact § 54.1-2522.1 of the Code of Virginia, relating to Prescription Monitoring Program; requirements of prescribers of benzodiazepine or opiates.

Patron—Herring

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:**1. That § 54.1-2522.1 of the Code of Virginia is amended and reenacted as follows:****§ 54.1-2522.1. Requirements of prescribers.**

A. Any prescriber who is licensed in the Commonwealth to treat human patients and is authorized pursuant to §§ 54.1-3303 and 54.1-3408 to issue a prescription for a covered substance shall be registered with the Prescription Monitoring Program by the Department of Health Professions.

B. Prescribers registered with the Prescription Monitoring Program shall, at the time of initiating a new course of treatment to a human patient that includes the prescribing of benzodiazepine or an opiate anticipated at the onset of treatment to last more than 90 consecutive days, request information from the Director for the purpose of determining what, if any, other covered substances are currently prescribed to the patient. In addition, any prescriber who holds a special identification number from the Drug Enforcement Administration authorizing the prescribing of controlled substances approved for use in opioid addiction therapy shall, prior to or as a part of execution of a treatment agreement with the patient, request information from the Director for the purpose of determining what, if any, other covered substances the patient is currently being prescribed. Nothing in this section shall prohibit prescribers from making additional periodic requests for information from the Director as may be required by routine prescribing practices.

C. ~~The Secretary of Health and Human Resources may identify and publish a list of benzodiazepines or opiates that have a low potential for abuse by human patients. Prescribers who prescribe such identified benzodiazepines or opiates shall not be required to meet the provisions of subsection B. In addition, a~~ A prescriber shall not be required to meet the provisions of subsection B if the course of treatment arises from pain management relating to dialysis or cancer treatments:

1. *The benzodiazepine or opiate is prescribed to a patient currently receiving hospice or palliative care;*

2. *The benzodiazepine or opiate is prescribed to a patient as part of treatment for a surgical procedure and such prescription is not refillable; or*

3. *The Prescription Monitoring Program is not operational or available due to temporary technological or electrical failure or natural disaster.*

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