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**HOUSE BILL NO. 2248**

Offered January 11, 2023

Prefiled January 11, 2023

A *BILL to amend the Code of Virginia by adding a section numbered 54.1-3408.6, relating to providers of treatment for substance use disorder; use of methadone or opioid replacements; biometric certification.*

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Patrons—Cordoza and Anderson

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Referred to Committee on Health, Welfare and Institutions**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 54.1-3408.6 as follows:****§ 54.1-3408.6. Biometric certification for dispensing of methadone or opioid replacements.***A. For the purposes of this section:**"HIPAA" means the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.).**"Transaction" means an instance of administration of methadone or opioid replacements by a clinician to a patient.**B. Any provider of treatment for persons with substance use disorder through the use of (i) methadone or (ii) opioid replacements other than those approved by the U.S. Food and Drug Administration for the treatment of opioid addiction shall be required to use a biometric certification system in the administration of such drugs.**The biometric certification system shall record the iris of any patient receiving treatment in the form of methadone or opioid replacements. The biometric certification shall record and identify either the two-finger fingerprint or iris of any clinician dispensing methadone or opioid replacements. Notwithstanding federal law, including HIPAA, a record of each treatment, clinician, and patient shall be held in a statewide data repository, established and maintained by the Board, for no fewer than 10 years. The biometric data stored and utilized shall be encrypted with a minimum of 256-bit encryption.**Each transaction shall be verified by biometric certification that the patient is authorized to receive such treatment and that the clinician is authorized to dispense such treatment. The biometric certification system shall authorize that the treatment being administered is within the parameters of the patient's prescribed treatment plan.**The statewide data repository shall not store the personal information, including name, date of birth, driver's license number, state identification number, or social security number of any patient. The statewide data repository shall not share biometric data with any organization within or outside of the Commonwealth.*

INTRODUCED

HB2248