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HOUSE BILL NO. 2085

Offered January 11, 2023

Prefiled January 10, 2023

4 A *BILL to amend and reenact § 54.1-2522.1, as it is currently effective and as it shall become effective,*
5 *of the Code of Virginia, relating to prescription of opioids; sickle cell anemia.*

Patron—Mundon King

Committee Referral Pending

10 Be it enacted by the General Assembly of Virginia:

11 1. That § 54.1-2522.1, as it is currently effective and as it shall become effective, of the Code of
12 Virginia is amended and reenacted as follows:

13 § 54.1-2522.1. (Effective until July 1, 2027) Requirements of practitioners.

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

17 B. A prescriber registered with the Prescription Monitoring Program or a person to whom he has
18 delegated authority to access information in the possession of the Prescription Monitoring Program
19 pursuant to § 54.1-2523.2 shall, at the time of initiating a new course of treatment to a human patient
20 that includes the prescribing of opioids anticipated at the onset of treatment to last more than seven
21 consecutive days, request information from the Director for the purpose of determining what, if any,
22 other covered substances are currently prescribed to the patient. In addition, any prescriber who holds a
23 special identification number from the Drug Enforcement Administration authorizing the prescribing of
24 controlled substances approved for use in opioid addiction therapy shall, prior to or as a part of
25 execution of a treatment agreement with the patient, request information from the Director for the
26 purpose of determining what, if any, other covered substances the patient is currently being prescribed.
27 Nothing in this section shall prohibit prescribers from making additional periodic requests for
28 information from the Director as may be required by routine prescribing practices.

29 C. A prescriber shall not be required to meet the provisions of subsection B if:

30 1. The opioid is prescribed to a patient currently receiving hospice or palliative care;

31 2. The opioid is prescribed to a patient during an inpatient hospital admission or at discharge;

32 3. The opioid is prescribed to a patient in a nursing home or a patient in an assisted living facility
33 that uses a sole source pharmacy;

33 that uses a sole source pharmacy;

34 4. *The opioid is prescribed to a patient for pain management related to sickle cell anemia;*

35 5. The Prescription Monitoring Program is not operational or available due to temporary

36 technological or electrical failure or natural disaster; or

37 5. 6. The prescriber is unable to access the Prescription Monitoring Program due to emergency or

38 disaster and documents such circumstances in the patient's medical record.

38 disaster and documents such circumstances in the patient's medical record.
39 D. Prior to issuing a written certification for the use of cannabis
40 § 54.1-3408.3, a practitioner shall request information from the Director for
41 what, if any, other covered substances have been dispensed to the patient.
42 § 54.1-3522.1 (Effective July 1, 2027) Requirements of practitioners

42 **§ 54.1-2522.1. (Effective July 1, 2027) Requirements of practitioners.**
43 A. Any prescriber who is licensed in the Commonwealth to treat human patients and is authorized
44 pursuant to §§ 54.1-3303 and 54.1-3408 to issue a prescription for a covered substance shall be
45 registered with the Prescription Monitoring Program by the Department of Health Professions.

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

57 C. The Secretary of Health and Human Resources may identify and publish a list of benzodiazepines
58 or opiates that have a low potential for abuse by human patients. Prescribers who prescribe such

59 identified benzodiazepines or opiates shall not be required to meet the provisions of subsection B. In
60 addition, a prescriber shall not be required to meet the provisions of subsection B if the course of
61 treatment arises from pain management relating to dialysis ~~or~~, cancer treatments, *or sickle cell anemia*.

62 D. Prior to issuing a written certification for the use of cannabis oil in accordance with
63 § 54.1-3408.3, a practitioner shall request information from the Director for the purpose of determining
64 what, if any, other covered substances have been dispensed to the patient.