

Quick Guide to Pennsylvania's Comprehensive Opioid Laws



ACT 122: Safe Emergency Prescribing Act

For prescribers giving treatment in an emergency department, urgent care center, or taking care of patients in observation:

- **Limit opioid prescriptions to a seven-day supply.**
Some exceptions apply.
- **No refills** should be written.
- **Individuals at risk for substance use disorder should be referred to treatment.**
- Checking the PDMP is not required for any medication provided to a patient in the course of treatment while undergoing care in an emergency department. This exception does not apply to patients undergoing care in urgent care centers or when in observation status in a healthcare facility. If a medication prescription is issued during discharge, then the PDMP system must be queried.

Act 191 of 2014: Achieving Better Care by Monitoring All Prescriptions Program (amendment to Pennsylvania Act 191)

- **Registration of all prescribers and dispensers with the PDMP is required.**
- A dispenser or pharmacy **must submit dispensing information to the PDMP database** no later than the close of the next business day after dispensing.
- **Dispensers must query the PDMP** before dispensing opioid drug products if the patient is new, pays in cash instead of with insurance, requests refills early, or obtains opioid/benzodiazepine prescriptions from multiple prescribers.
- **Prescribers must query the PDMP** each time an opioid or benzodiazepine is prescribed, before the first controlled substance prescription, or if there is any inclination that the patient is misusing or diverting drugs.
- **Prescribers must also document PDMP information into patient medical records** if the individual is a new patient or if the prescriber determines a drug should not be prescribed, given information from the PDMP query.

Quick Guide to Pennsylvania's Recent Opioid Laws



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ALCOHOL PROGRAMS

ACT 125: Prescribing Opioids to Minors

Before prescribing opioids to minors, prescribers must:

- Determine if the minor has taken or is taking prescription drugs for substance use disorder treatment by checking the PDMP system.
- Discuss risks of addiction and overdose with parents and guardians.
- Obtain written consent for opioid prescriptions from the minor's parent or guardian.

Prescribers may NOT:

- Prescribe opioids to a minor unless it is for an acute condition or emergency that would otherwise cause the minor to suffer from use of non-opioids.
- Prescribe more than a seven-day supply of opioids.
- Prescribe more than a 72-hour supply to authorized adults.

ACT 126: Safe Opioid Prescription, Patient Voluntary Non-Opioid Directive, and Imposing Powers and Duties

- **Patient voluntary non-opioid directive:** Patients can refuse prescription or administration of opioids using a standardized form created by the Pennsylvania Department of Health. This can be revoked verbally or in writing at any time.

ACT 139: David's Law: Opioid Overdose Reversal Act

- This law expands access to naloxone to emergency services personnel including law enforcement, firefighter, and emergency medical service workers. It also allows medical professionals to dispense and prescribe naloxone, either directly or through a standing order, to individuals who may be at risk of overdose. Pursuant to this authority, Pennsylvania's Physician General, in 2015, issued a standing order to allow access to naloxone for individuals who are in the position to help a person at risk of experiencing an opioid-related overdose.