

House Bill 2114

Sponsored by Representative GREENLICK; Representatives NATHANSON, PILUSO (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits issuing initial prescription for opioids or opiates to adults for outpatient use in quantity exceeding seven-day supply.

Prohibits issuing initial and refill prescription for opioids or opiates to minors for outpatient use in quantity exceeding seven-day supply.

Creates exceptions.

A BILL FOR AN ACT

Relating to prescription drugs; creating new provisions; and amending ORS 475.914.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 475.005 to 475.285.

SECTION 2. (1) Except as provided in subsections (2) and (3) of this section:

(a) When issuing an initial prescription for an opioid or opiate to a patient who is 18 years of age or older for outpatient use, a practitioner may not issue a prescription for more than a seven-day supply.

(b) When issuing an initial or refill prescription for an opioid or opiate to a patient who is under 18 years of age for outpatient use, a practitioner:

(A) May not issue a prescription for more than a seven-day supply; and

(B) Must discuss with the parent or legal guardian of the patient the risks associated with the opioid or opiate use and the reason why the prescription is necessary.

(2)(a) A practitioner may issue a prescription for more than a seven-day supply of an opioid or opiate if, in the practitioner's professional medical judgment, the supply is necessary for the treatment of:

(A) An acute medical condition;

(B) Chronic pain;

(C) Pain associated with a cancer diagnosis; or

(D) Pain experienced while the patient is in palliative care.

(b) If a practitioner issues a prescription for more than a seven-day supply of an opioid or opiate under paragraph (a) of this subsection, the practitioner must:

(A) Document in the patient's medical record the condition for which the practitioner issued the prescription; and

(B) Indicate in the patient's medical record that a nonopioid or a nonopiate alternative was not an appropriate treatment for the condition.

(3) This section does not apply to the issuance of prescriptions for the treatment of substance abuse or opioid or opiate dependence.

SECTION 3. ORS 475.914 is amended to read:

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 475.914. (1) It is unlawful for any person:
2 (a) Who is subject to ORS 475.095 and 475.125 to 475.185 to deliver or dispense a controlled
3 substance in violation of ORS 475.185 **or section 2 of this 2017 Act**;
4 (b) Who is a registrant, to manufacture a controlled substance not authorized by this registra-
5 tion, or to deliver or dispense a controlled substance not authorized by the registration to another
6 registrant or other authorized person;
7 (c) To refuse or fail to make, keep or furnish any record, notification, order form, statement,
8 invoice or information required under ORS 475.005 to 475.285 and 475.752 to 475.980;
9 (d) To refuse an entry into any premises for any inspection authorized by ORS 475.005 to 475.285
10 and 475.752 to 475.980; or
11 (e) To keep or maintain any store, shop, warehouse, dwelling, building, vehicle, boat, aircraft
12 or other structure or place, while knowingly permitting persons to use controlled substances in such
13 places in violation of ORS 475.005 to 475.285 and 475.752 to 475.980, or which is used for keeping
14 or selling them in violation of ORS 475.005 to 475.285 and 475.752 to 475.980.
15 (2) Any person who violates this section with respect to:
16 (a) A controlled substance in Schedule I, is guilty of a Class C felony.
17 (b) A controlled substance in Schedule II, is guilty of a Class A misdemeanor.
18 (c) A controlled substance in Schedule III, is guilty of a Class B misdemeanor.
19 (d) A controlled substance in Schedule IV or V, is guilty of a Class C misdemeanor.
20 **SECTION 4. Section 2 of this 2017 Act and the amendments to ORS 475.914 by section 3**
21 **of this 2017 Act apply to the issuance of prescriptions occurring on and after the effective**
22 **date of this 2017 Act.**

23