

ASSEMBLY, No. 3424

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED MARCH 7, 2016

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SYNOPSIS

Requires prescribers to discuss addiction risk associated with certain drugs prior to issuing prescription to minor patient.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 12/6/2016)

1 AN ACT concerning prescription medications and supplementing
2 Title 24 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. a. A health care professional authorized to issue
8 prescriptions shall, prior to issuing a prescription for a Schedule II
9 controlled dangerous substance or any opioid drug which is a
10 prescription drug as defined in section 2 of P.L.2003, c.280
11 (C.45:14-41), discuss with a patient who is under 18 years of age
12 and is an emancipated minor, or with the patient's parent or
13 guardian if the patient is under 18 years of age and is not an
14 emancipated minor, the risks of developing a physical or
15 psychological dependence on the controlled dangerous substance or
16 prescription opioid drug and, if the prescriber deems it appropriate,
17 such alternative treatments as may be available.

18 b. A prescriber who engages in a discussion required pursuant
19 to subsection a. of this section shall obtain from the person with
20 whom the prescriber had the discussion a written acknowledgement
21 that the discussion took place. The written acknowledgement shall
22 be included in the patient's medical record and shall be on a form
23 developed by the Director of the Division of Consumer Affairs in
24 the Department of Law and Public Safety in consultation with such
25 medical professional societies and associations as may be identified
26 by the director.

27 c. The Director of the Division of Consumer Affairs in the
28 Department of Law and Public Safety shall develop and make
29 available to prescribers guidelines for the discussion required
30 pursuant to subsection a. of this section.

31 d. The discussion required under subsection a. of this section
32 shall not be required prior to issuing a prescription to any patient
33 who is currently receiving hospice care from a licensed hospice.

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35 2. This act shall take effect immediately.

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STATEMENT

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40 This bill requires health care professionals with prescribing
41 authority to discuss the addiction potential of certain prescription
42 medications prior to issuing a prescription for the medication to a
43 patient who is under 18 years of age. The prescriber is to have this
44 discussion with the patient, if the patient is an emancipated minor,
45 and with the patient's parent or guardian if the patient is not
46 emancipated. The discussion will be required prior to issuing a
47 prescription for any Schedule II controlled dangerous substance and
48 any medication which is a prescription opioid. The prescriber will

1 specifically be required to discuss the risks of developing a physical
2 or psychological dependence on the medication and, if the
3 prescriber deems it appropriate, any alternative treatments that may
4 be available.

5 The prescriber will be required to obtain a written
6 acknowledgement of the discussion using a form to be developed by
7 the Director of the Division of Consumer Affairs in the Department
8 of Law and Public Safety and to include this written
9 acknowledgement in the patient's medical file. The director will
10 additionally be required to develop, and make available to
11 prescribers, guidelines for the discussion required under the bill.

12 The bill does not require the discussion when prescribing
13 medication to patients who are under hospice care.