

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Gov. Christie-backed measures on opioid addiction advance," new12, February 6, 2017
RWH/JA

P.L.2017, CHAPTER 8, *approved February 6, 2017*
Senate, No. 2156 (*First Reprint*)

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

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. A health care professional authorized to issue prescriptions
8 shall, prior to issuing a prescription for ¹**an** ~~1~~ **opioid drug which is a** ¹**prescription**
9 **drug as defined in section 2 of P.L.2003, c.280 (C.45:14-41)**
10 **Schedule II controlled dangerous substance**¹, discuss with a patient
11 who is under 18 years of age and is an emancipated minor, or with the
12 patient's parent or guardian if the patient is under 18 years of age and
13 is not an emancipated minor, the risks of developing a physical or
14 psychological dependence on the ¹**controlled dangerous substance or**
15 **prescription**¹ opioid drug and, if the prescriber deems it appropriate,
16 such alternative treatments as may be available.

17
18 b. A prescriber who engages in a discussion required pursuant to
19 subsection a. of this section shall ¹**obtain** from the person with whom
20 the prescriber had the discussion a written acknowledgement that the
21 discussion took place. The written acknowledgement shall be
22 **included** include a note¹ in the patient's medical record ¹**and shall**
23 **be on a form developed by the Director of the Division of Consumer**
24 **Affairs in the Department of Law and Public Safety in consultation**
25 **with such medical professional societies and associations as may be**
26 **identified by the director** indicating that the discussion took place¹.

27 c. ¹**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 pursuant**
30 **to subsection a. of this section.**

31 d. ¹**The discussion required under subsection a. of this section**
32 **shall not be required prior to issuing a prescription to any patient who**
33 **is currently receiving hospice care from a licensed hospice.**

34

35 2. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted September 8, 2016.

S2156 [1R]

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

SENATE, No. 2156

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED MAY 5, 2016

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Co-Sponsored by:

Senators Madden

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: 10/21/2016)

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

3

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

6

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.

34

35 2. This act shall take effect immediately.

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STATEMENT

39

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

S2156 WEINBERG, VITALE

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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.

ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2156

STATE OF NEW JERSEY

DATED: DECEMBER 5, 2016

The Assembly Health and Senior Services Committee reports favorably Senate Bill No. 2156(1R).

This bill requires health care professionals with prescribing authority to discuss the addiction potential of opioid drugs that are Schedule II controlled dangerous substances prior to issuing a prescription for the medication to a patient who is under 18 years of age.

The bill requires the prescriber to have this discussion with the patient, if the patient is an emancipated minor, or with the patient's parent or guardian, if the patient is not emancipated. As part of the discussion, the prescriber is to discuss the risks of developing a physical or psychological dependence on the opioid drug and, if the prescriber deems it appropriate, any alternative treatments that may be available.

The bill requires a prescriber who engages in this discussion to include a note in the patient's medical record indicating that the discussion took place.

The bill does not require the discussion when prescribing medication to a patient who is receiving hospice care from a licensed hospice.

As reported by the committee, Senate Bill No. 2156(1R) is identical to Assembly Bill No. 3424(1R), which the committee also reported on this date.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2156

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 8, 2016

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2156.

As amended by the committee, this bill requires health care professionals with prescribing authority to discuss the addiction potential of opioid drugs that are Schedule II controlled dangerous substances prior to issuing a prescription for the medication to a patient who is under 18 years of age. The prescriber is to have this discussion with the patient, if the patient is an emancipated minor, and with the patient's parent or guardian if the patient is not emancipated. The prescriber will specifically be required to discuss the risks of developing a physical or psychological dependence on the opioid drug and, if the prescriber deems it appropriate, any alternative treatments that may be available.

The prescriber will be required to include a note in the patient's medical record indicating that the discussion took place. The bill does not require the discussion when prescribing medication to patients who are under hospice care.

The committee amended the bill to limit the bill's application to opioid drugs that are Schedule II controlled dangerous substances, rather than any prescription drug that is either an opioid drug or a Schedule II controlled dangerous substance. In addition, the amendments eliminate the written acknowledgement form and official guidelines for the discussion, and instead require the prescriber to include a note in the patient's medical record indicating that the discussion took place.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2156

STATE OF NEW JERSEY

DATED: OCTOBER 13, 2016

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2156 (1R).

This bill requires a health care professional with prescribing authority to discuss the addiction potential of opioid drugs that are Schedule II controlled dangerous substances prior to issuing a prescription for the medication to a patient who is under 18 years of age.

The bill requires the prescriber to have this discussion with the patient, if the patient is an emancipated minor, or with the patient's parent or guardian, if the patient is not emancipated. As part of the discussion, the prescriber must discuss the risks of developing a physical or psychological dependence on the opioid drug and, if the prescriber deems it appropriate, any alternative treatments that may be available.

The bill requires a prescriber who engages in this discussion to include a note in the patient's medical record indicating that the discussion took place.

The bill does not require the discussion when prescribing medication to a patient who is receiving hospice care from a licensed hospice.

The bill takes effect immediately upon enactment.

FISCAL IMPACT:

This bill has not been certified as requiring a Fiscal Note.

ASSEMBLY, No. 3424

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED MARCH 7, 2016

Sponsored by:

Assemblyman JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Assemblyman PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman MARLENE CARIDE

District 36 (Bergen and Passaic)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Co-Sponsored by:

**Assemblymen Ciattarelli, Peterson, Giblin, A.M.Bucco, DiMaio,
Assemblywoman Chaparro, Assemblyman Coughlin, Assemblywomen
Jones, Phoebus, Assemblymen Space, Taliaferro, Assemblywomen Muoio,
Rodriguez-Gregg and Jimenez**

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.

3

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

6

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.

34

35 2. This act shall take effect immediately.

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38

STATEMENT

39

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.

ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3424

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 5, 2016

The Assembly Health and Senior Services Committee reports favorably and with committee amendments Assembly Bill No. 3424.

As amended by the committee, this bill requires health care professionals with prescribing authority to discuss the addiction potential of opioid drugs that are Schedule II controlled dangerous substances prior to issuing a prescription for the medication to a patient who is under 18 years of age.

As amended, the bill requires the prescriber to have the discussion with the patient, if the patient is an emancipated minor, or with the patient's parent or guardian, if the patient is not emancipated. The prescriber will specifically be required to discuss the risks of developing a physical or psychological dependence on the medication and, if the prescriber deems it appropriate, any alternative treatments that may be available.

The amended bill requires the prescriber to include a note in the patient's medical record indicating that the discussion took place.

The bill does not require the discussion when prescribing medication to patients who are receiving hospice care from a licensed hospice.

As reported by the committee, Assembly Bill No. 3424(1R) is identical to Senate Bill No. 2156(1R), which the committee also reported on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to make it applicable only to opioid drugs that are Schedule II controlled dangerous substances, rather than any prescription drug that is an opioid medication or a Schedule II controlled dangerous substance.

The committee amended the bill to eliminate requirements for the Director of the Division of Consumer Affairs in the Department of Law and Public Safety to develop an official acknowledgement form and official guidelines for the discussion required under the bill, and instead requires prescribers to include in the patient's medical record a note indicating that the discussion took place.

Governor Chris Christie Takes Action On Pending Legislation

Monday, February 6, 2017 Tags: [Bill Action](#)



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Trenton, NJ – Governor Chris Christie today signed legislation, S-2156/A-3424, requiring medical professionals to educate children and teenagers about addiction risks before issuing prescription drugs.

“This critical prevention legislation will stem the growing tide of drug addiction in New Jersey that has been largely caused by the misuse of prescription drugs or prescription drugs getting into the wrong hands,” Governor Christie said. “Coupled with dozens of other new reforms underway, including a comprehensive in-school curriculum for kindergarteners through 12th graders, we can stop this fatal disease from decimating another generation. Piece by piece, I am proud that my administration, with bipartisan cooperation from the legislature, is creating a holistic model for America to curb this epidemic impacting all residents, families, communities and businesses.”

Governor Christie also took action on the following legislation:

BILL SIGNINGS:

S-602/A-1138 (Cunningham, T. Kean/Holley, Chiaravalloti) - “New Jersey International Arbitration, Mediation, and Conciliation Act”

SCS for S-727/A-3955 (Cruz-Perez, Van Drew/Barclay, Wimberly, Holley) - “New Jersey Open Data Initiative” to require certain information be provided on Internet to public and State agencies

S-879/A-4237 (Greenstein, Bateman/Sumter, Benson) - Prohibits termination of law enforcement officer or firefighter based upon determination that officer or firefighter is physically unable to perform duties under certain circumstances

S-1066/A-3649 (Singer, Beck/S. Kean, Ribble, Mukherji, Pinkin, Vainieri Huttler, Schaer) - Allows filing of birth certificate to be delayed for religious reasons, for up to 15 days after birth, in order to allow for naming of child

S-1131/A-3489 (Rice/Tucker, Houghtaling, Mukherji, Wimberly) - Provides for notification of emergency contact in event of death of senior citizen in certain housing facilities

S-1474/A-2786 (Ruiz/Benson, Sumter, Caride, McKnight, Vainieri Huttler, Pintor Marin, Wimberly) - Requires teacher preparation program for instructional certificate to include certain amount of instruction or clinical experience in special education and for students with disabilities endorsement to include credit hours in autism spectrum disorder

S-1830/A-3411 (Rice, Vitale, Turner/Muoio, Benson, Singleton, Greenwald, Pinkin, Downey, Sumter, Wimberly) - Requires DOH regulations regarding elevated blood lead levels in children, and appropriate responses thereto, to be consistent with latest Centers for Disease Control and Prevention recommendations

S-2156/A-3424 (Weinberg, Vitale/Lagana, Pinkin, Vainieri Huttler, Caride, Caputo, Wimberly, Moriarty) - Requires prescribers to discuss addiction risk associated with certain drugs prior to issuing prescription to minor patient

S-2321/A-3774 (Oroho, Beach/Burzichelli, Wisniewski, Mosquera, Houghtaling, Wimberly) - Concerns excessive price increases during state of emergency

S-2364/A-3946 (Oroho, Stack/Burzichelli, Dancer, Mukherji, Holley, A.M. Bucco) - Establishes pilot program appointing third party vendors to administer commercial driver license testing

S-2370/A-3904 (Whelan/Burzichelli) – Authorizes operation of lottery courier services

S-2477/A-4083 (Sarlo, Oroho/Schaer, Space, Mukherji, Singleton) - Concerns certain unused portions of tax credits issued to insurance premiums taxpayers under the Business Employment Incentive Program; exempts certain purchasers of business development incentives from certain State tax notification requirements

S-2731/A-4326 (Greenstein, Bateman/Muoio, Burzichelli, Mazzeo, Mukherji) - Authorizes New Jersey Environmental Infrastructure Trust to expend additional sums to make loans for environmental infrastructure projects for FY2017

S-2732/A-4327 (Codey, Gill/Zwicker, Conaway, Danielsen, Muoio, Mukherji, Gusciora) - Amends list of environmental infrastructure projects approved for long-term funding for FY2017 to include new projects and revise allowable loan amounts for already approved projects

BILLS VETOED:

S-600/A-3625 (Cunningham, Stack/McKnight, Chiaravalloti, Mukherji) – CONDITIONAL - Requires DOH to authorize Jersey City to issue certified copies of birth certificates by September 1, 2017

S-1585/A-3335 (Rice, Ruiz/Sumter, Pintor Marin, Wimberly, Mukherji, Gusciora) - – CONDITIONAL - Establishes program allowing certain applicants to perform community service in lieu of paying motor vehicle surcharges

S-2267/A-2771 (Diegnan, Greenstein/Webber, O'Scanlon, A.M. Bucco) - CONDITIONAL - Establishes asset forfeiture reporting requirements

S-2347/A-3723 (Rice, Ruiz/Pintor Marin, Giblin) – CONDITIONAL - Permits certain municipalities to impose and collect payroll tax of up to 1% of employer's payroll

S-2575/A-4187 (Sweeney, Whelan/Burzichelli) – ABSOLUTE - Disqualifies casino license applicant for five-year period if person substantially closed casino property in State; revokes license; reinstates license eligibility under certain circumstances

###

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609-777-2600



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Gov. Christie-backed measures on opioid addiction advance

February 6, 2017 9:13 PM

TRENTON - Gov. Chris Christie's anti-opioid agenda is moving ahead.

The governor signed legislation Monday requiring medical professionals to discuss the possibility of addiction when prescribing opioid drugs to those under 18.

The state Senate also approved legislation that Christie sought that requires insurers regulated by the state to cover inpatient and outpatient treatment for drug addiction.

The measure also would limit initial opioid prescriptions for acute pain care to a five-day supply. That wouldn't apply to cancer and chronic pain patients and for end-of-life care. The legislation also calls for continuing education for professionals who prescribe drugs.

Christie said in a statement the new law will help curb drug addiction caused by the misuse of prescription drugs.

Christie, who is term-limited, is dedicating his final year to addressing addiction. His term ends in January 2018.

The Associated Press wire services contributed to this report.

<http://newjersey.news12.com/news/gov-christie-backed-measures-on-opioid-addiction-advance-1.13072968>