

4:9-22.19

LEGISLATIVE HISTORY CHECKLIST

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(Prescription--dangerous substances)

NJSA: 4:9-22.19

LAWS OF: 1997 **CHAPTER:** 249

BILL NO: A1482

SPONSOR(S): Vandervalk

DATE INTRODUCED: January 29, 1996

COMMITTEE: ASSEMBLY: Health

SENATE: Health

AMENDED DURING PASSAGE: Yes Amendments during passage denoted
by superscript numbers

DATE OF PASSAGE: ASSEMBLY: December 19, 1996

SENATE: June 26, 1997

DATE OF APPROVAL: September 9, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBP:pp

§§1,2
C. 45:9-22.19
&
45:9-22.20

P.L. 1997, CHAPTER 249, *approved September 9, 1997*
Assembly, No. 1482 (*First Reprint*)

1 AN ACT concerning the prescribing of controlled drugs and
2 supplementing chapter 9 of Title 45 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 physician licensed pursuant to chapter 9 of Title 45 of the
8 Revised Statutes may prescribe a Schedule II controlled dangerous
9 substance for the use of a patient in any quantity which does not
10 exceed a 30-day supply¹**[that the physician deems medically indicated**
11 **for the management or relief of intractable pain associated with a**
12 **terminal illness or a chronic disorder]**¹, as defined by regulations
13 adopted by the State Board of Medical Examiners in consultation with
14 the Department of Health¹**],** when the physician determines that no
15 cure or relief is possible, consistent with prevailing standards of
16 medical care, or when none has been found after a reasonable effort
17 to do so¹. The physician shall document the diagnosis and the
18 medical need for the prescription in the patient's medical record, in
19 accordance with guidelines established by the State Board of Medical
20 Examiners.

21

22 2. The State Board of Medical Examiners, pursuant to the
23 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
24 seq.), shall adopt rules and regulations to effectuate the purposes of
25 this act.

26

27 3. This act shall take effect immediately.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ **Assembly AHL committee amendments adopted June 20, 1996 .**

1

2

3 Permits the prescribing of a 30-day supply of controlled dangerous
4 substances when medically indicated for pain in patients with terminal
5 illness or chronic disorders.

ASSEMBLY, No. 1482

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Assemblywoman VANDERVALK

1 AN ACT concerning the prescribing of controlled drugs and
2 supplementing chapter 9 of Title 45 of the Revised Statutes.

3

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

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7 1. A physician licensed pursuant to chapter 9 of Title 45 of the
8 Revised Statutes may prescribe a Schedule II controlled dangerous
9 substance for the use of a patient in any quantity which does not
10 exceed a 30-day supply that the physician deems medically indicated
11 for the management or relief of intractable pain associated with a
12 terminal illness or a chronic disorder, as defined by regulations
13 adopted by the State Board of Medical Examiners in consultation with
14 the Department of Health, when the physician determines that no cure
15 or relief is possible, consistent with prevailing standards of medical
16 care, or when none has been found after a reasonable effort to do so.
17 The physician shall document the diagnosis and the medical need for
18 the prescription in the patient's medical record, in accordance with
19 guidelines established by the State Board of Medical Examiners.

20

21 2. The State Board of Medical Examiners, pursuant to the
22 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
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24 this act.

25

26 3. This act shall take effect immediately.

27

28

29

STATEMENT

30

31 This bill permits the prescribing of a schedule II controlled
32 dangerous substance, including narcotics such as morphine, for the use
33 of a patient in any quantity not to exceed a 30-day supply that a
34 physician deems medically indicated for the management or relief of
35 intractable pain associated with a terminal illness or a chronic disorder,
36 as defined by regulations adopted by the State Board of Medical

1 Examiners (BME) in consultation with the Department of Health
2 (DOH), when the physician determines that no cure or relief is
3 possible, consistent with prevailing standards of medical care, or when
4 none has been found after a reasonable effort to do so. The physician
5 is to document the diagnosis and the medical need for the prescription
6 in the patient's medical record, in accordance with guidelines
7 established by the BME.

8

9

10



11

12

13 Permits the prescribing of a 30-day supply of controlled dangerous
14 substances when medically indicated for pain in patients with terminal
15 illness or chronic disorders.

[Passed Both Houses]

[First Reprint]

ASSEMBLY, No. 1482

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Assemblywoman VANDERVALK
and Assemblyman RUSSO

1 AN ACT concerning the prescribing of controlled drugs and
2 supplementing chapter 9 of Title 45 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
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7 1. A physician licensed pursuant to chapter 9 of Title 45 of the
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11 **for the management or relief of intractable pain associated with a**
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5 illness or chronic disorders.

ASSEMBLY HEALTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1482

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 20, 1996

The Assembly Health Committee reports favorably Assembly Bill No.1482 with committee amendments.

As amended by the committee, this bill permits the prescribing of a schedule II controlled dangerous substance, including narcotics such as morphine, for the use of a patient in any quantity not to exceed a 30-day supply, as defined by regulations adopted by the State Board of Medical Examiners (BME) in consultation with the Department of Health. The physician is to document the diagnosis and the medical need for the prescription in the patient's medical record, in accordance with guidelines established by the BME.

The committee amended the bill to permit the criteria upon which a physician would base a prescription for a schedule II controlled dangerous substance to be determined by regulations adopted by the BME.

SENATE HEALTH COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1482

STATE OF NEW JERSEY

DATED: JANUARY 23, 1997

The Senate Health Committee reports favorably Assembly Bill No. 1482 (1R).

This bill permits the prescribing of a schedule II controlled dangerous substance, including narcotics such as morphine, for the use of a patient in any quantity not to exceed a 30-day supply, as defined by regulations adopted by the State Board of Medical Examiners (BME) in consultation with the Department of Health and Senior Services. The physician is to document the diagnosis and the medical need for the prescription in the patient's medical record, in accordance with guidelines established by the BME.

Currently, Department of Health and Senior Services regulations (N.J.A.C.8:65-7.8) limit the prescribing of schedule II controlled dangerous substances to an individual patient to 120 dosage forms or a 30 days' supply, whichever is the lesser amount.