



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3532

Introduced 2/22/2021, by Rep. Deb Conroy

SYNOPSIS AS INTRODUCED:

720 ILCS 570/316.5 new

Amends the Illinois Controlled Substances Act. Provides that except as otherwise provided in the Act, when issuing a first-time opioid prescription for outpatient use to an adult patient with an acute condition, a medical practitioner shall not issue a prescription for more than a 7-day supply. Provides that except as otherwise provided in the Act, a medical practitioner shall not issue a prescription for an opioid to a minor for more than a 7-day supply at any time and shall discuss with a parent, tutor, or guardian of the minor the risks associated with opioid use and the reasons why the prescription is necessary. Determines when a medical practitioner can prescribe more than a 7-day supply. Provides that a prescription may be filled for less than the prescribed amount.

LRB102 12163 KMF 17500 b

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Controlled Substances Act is
5 amended by adding Section 316.5 as follows:

6 (720 ILCS 570/316.5 new)

7 Sec. 316.5. Opioid prescriptions.

8 (1) (a) Except as provided in paragraph (2) of this
9 subsection, when issuing a first-time opioid prescription
10 for outpatient use to an adult patient with an acute
11 condition, a medical practitioner shall not issue a
12 prescription for more than a 7-day supply.

13 (b) Except as provided in paragraph (2) of this
14 subsection, a medical practitioner shall not issue a
15 prescription for an opioid to a minor for more than a 7-day
16 supply at any time and shall discuss with a parent, tutor, or
17 guardian of the minor the risks associated with opioid use and
18 the reasons why the prescription is necessary.

19 (2) If, in the professional medical judgment of a
20 medical practitioner, more than a seven-day supply of an
21 opioid is required to treat the adult or minor patient's
22 acute medical condition or is necessary for the treatment
23 of chronic pain management, pain associated with a cancer

1 diagnosis, or for palliative care, the practitioner may
2 issue a prescription for the quantity needed to treat the
3 patient's acute medical condition or pain. The condition
4 triggering the prescription of an opioid for more than a
5 seven-day supply shall be documented in the patient's
6 medical record and the practitioner shall indicate that a
7 nonopioid alternative was not appropriate to address the
8 medical condition.

9 (3) This Subsection shall not apply to medications
10 designed for the treatment of substance abuse or opioid
11 dependence.

12 (4) Prior to issuing a prescription for an opioid, a
13 medical practitioner shall do both of the following:

14 (a) Consult with the patient regarding the quantity of the
15 opioid and the patient's option to fill the prescription in a
16 lesser quantity.

17 (b) Inform the patient of the risks associated with the
18 opioid prescribed.

19 (5) (a) A pharmacist filling a prescription for an
20 opioid may dispense the prescribed substance in an amount
21 less than the recommended full quantity indicated on the
22 prescription if requested by the patient and the
23 prescription complies with the provisions of this Section.
24 The patient may request that the pharmacist fill an
25 additional amount not to exceed the remaining prescribed
26 quantity in accordance with 21 U.S.C. 829.

1 (b) If the dispensed amount is less than the recommended
2 full quantity, the pharmacist or a designee shall ensure that
3 the actual dispensed amount is accurately recorded in the
4 prescription monitoring program. The pharmacist or a designee
5 shall also, within seven days, make a notation in the
6 interoperable electronic health record of the patient if the
7 pharmacist has access to the record.

8 (c) Nothing in this Subsection shall be interpreted to
9 conflict with or supersede any other requirement established
10 in this Section for a prescription of a controlled dangerous
11 substance or any requirements or conditions for drug
12 substitutions established by law.