

116TH CONGRESS
1ST SESSION

S. _____

To require certain practitioners authorized to prescribe controlled substances to complete continuing education.

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY (for himself and Mr. BRAUN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require certain practitioners authorized to prescribe controlled substances to complete continuing education.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safer Prescribing of
5 Controlled Substances Act”.

6 **SEC. 2. CONTINUING EDUCATION REQUIREMENTS FOR**

7 **CERTAIN PRACTITIONERS PRESCRIBING**
8 **CONTROLLED SUBSTANCES.**

9 Section 303 of the Controlled Substances Act (21
10 U.S.C. 823) is amended—

1 (1) in subsection (f), in the matter preceding
2 paragraph (1), by striking “The Attorney General
3 shall register” and inserting “Subject to subsection
4 (k), the Attorney General shall register”;

5 (2) by redesignating subsection (k) as sub-
6 section (l); and

7 (3) by inserting after subsection (j) the fol-
8 lowing:

9 “(k)(1) In this subsection, the term ‘covered practi-
10 tioner’ means a practitioner that is not a hospital, phar-
11 macy, or veterinarian.

12 “(2) As a condition of granting or renewing the reg-
13 istration of a covered practitioner under this part to dis-
14 pense, or conduct research with, controlled substances in
15 schedule II, III, IV, or V, the Attorney General shall re-
16 quire the covered practitioner to complete training
17 through accredited continuing prescriber education that
18 the Secretary of Health and Human Services determines
19 meets the requirements under paragraph (3), unless the
20 covered practitioner meets the conditions described in
21 paragraph (6).

22 “(3) The training provided for purposes of paragraph
23 (2) shall, at a minimum, expose covered practitioners to—

24 “(A) best practices for pain management, in-
25 cluding responsible prescribing of pain medications,

1 alternatives to prescribing controlled substances and
2 other alternative therapies to decrease the use of
3 opioids;

4 “(B) tools to manage adherence and diversion
5 of controlled substances, including prescription drug
6 monitoring programs, drug screening, informed con-
7 sent, overdose education, and the use of opioid over-
8 dose antagonists; and

9 “(C) best practices for substance use disorder
10 treatment, including methods for diagnosing, treat-
11 ing, and managing a substance use disorder, includ-
12 ing the use of medications approved by the Food
13 and Drug Administration and evidence-based non-
14 pharmacological therapies, and linking patients to
15 evidence-based treatment for substance use dis-
16 orders.

17 “(4) The Substance Abuse and Mental Health Serv-
18 ices Administration shall establish or support the estab-
19 lishment of not less than 1 training module that meets
20 the requirements under paragraph (3) that is provided—

21 “(A) to any covered practitioner registered or
22 applying for a registration under this part to dis-
23 pense, or conduct research with, controlled sub-
24 stances in schedule II, III, IV, or V;

25 “(B) online; and

1 “(C) free of charge.

2 “(5) The Secretary of Health and Human Services
3 shall establish, maintain, and periodically update a pub-
4 lically available database providing information relating to
5 training modules that meet the requirements under para-
6 graph (3).

7 “(6) A covered practitioner shall be deemed as com-
8 pleting the training described in paragraph (2) if the cov-
9 ered practitioner completes accredited continuing pre-
10 scriber education, that—

11 “(A) is required, as a condition of State prac-
12 tice licensure, to fulfill mandated training or edu-
13 cation related to best practices in pain management
14 and substance use disorder treatment, that is sub-
15 stantially similar to the requirements described in
16 paragraph (3); or

17 “(B) is required, as a condition of maintaining
18 a board certification recognized by the appropriate
19 board certification organizations for the covered pre-
20 scriber to fulfill mandated training or education re-
21 lated to best practices in pain management and sub-
22 stance use disorder treatment, that is substantially
23 similar to the requirement described in paragraph
24 (3).

1 “(7) Not later than 5 years after the date of enact-
2 ment of the Safer Prescribing of Controlled Substances
3 Act, the Secretary of Health and Human Services shall
4 evaluate, and make publically available a report describ-
5 ing, how exposure to the training required under this sub-
6 section has changed prescribing patterns of controlled sub-
7 stances.”.