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.

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

SECTION 1. SHORT TITLE.

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

SEC. 2. CONTINUING EDUCATION REQUIREMENTS FOR CERTAIN PRACTITIONERS PRESCRIBING CONTROLLED SUBSTANCES.

Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—
(1) in subsection (f), in the matter preceding paragraph (1), by striking “The Attorney General shall register” and inserting “Subject to subsection (k), the Attorney General shall register”;

(2) by redesignating subsection (k) as subsection (l); and

(3) by inserting after subsection (j) the following:

“(k)(1) In this subsection, the term ‘covered practitioner’ means a practitioner that is not a hospital, pharmacy, or veterinarian.

“(2) As a condition of granting or renewing the registration of a covered practitioner under this part to dispense, or conduct research with, controlled substances in schedule II, III, IV, or V, the Attorney General shall require the covered practitioner to complete training through accredited continuing prescriber education that the Secretary of Health and Human Services determines meets the requirements under paragraph (3), unless the covered practitioner meets the conditions described in paragraph (6).

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

“(A) best practices for pain management, including responsible prescribing of pain medications,
alternatives to prescribing controlled substances and other alternative therapies to decrease the use of opioids;

“(B) tools to manage adherence and diversion of controlled substances, including prescription drug monitoring programs, drug screening, informed consent, overdose education, and the use of opioid overdose antagonists; and

“(C) best practices for substance use disorder treatment, including methods for diagnosing, treating, and managing a substance use disorder, including the use of medications approved by the Food and Drug Administration and evidence-based non-pharmacological therapies, and linking patients to evidence-based treatment for substance use disorders.

“(4) The Substance Abuse and Mental Health Services Administration shall establish or support the establishment of not less than 1 training module that meets the requirements under paragraph (3) that is provided—

“(A) to any covered practitioner registered or applying for a registration under this part to dispense, or conduct research with, controlled substances in schedule II, III, IV, or V;

“(B) online; and
“(C) free of charge.

“(5) The Secretary of Health and Human Services shall establish, maintain, and periodically update a publicly available database providing information relating to training modules that meet the requirements under paragraph (3).

“(6) A covered practitioner shall be deemed as completing the training described in paragraph (2) if the covered practitioner completes accredited continuing prescriber education, that—

“(A) is required, as a condition of State practice licensure, to fulfill mandated training or education related to best practices in pain management and substance use disorder treatment, that is substantially similar to the requirements described in paragraph (3); or

“(B) is required, as a condition of maintaining a board certification recognized by the appropriate board certification organizations for the covered prescriber to fulfill mandated training or education related to best practices in pain management and substance use disorder treatment, that is substantially similar to the requirement described in paragraph (3).
“(7) Not later than 5 years after the date of enactment of the Safer Prescribing of Controlled Substances Act, the Secretary of Health and Human Services shall evaluate, and make publically available a report describing, how exposure to the training required under this subsection has changed prescribing patterns of controlled substances.”