

116TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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## **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.”.