

2023 -- H 6490

LC003161

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT

Introduced By: Representatives DeSimone, McGaw, Cardillo, Craven, Caldwell, and Sanchez

Date Introduced: June 07, 2023

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-28-3.20.1 of the General Laws in Chapter 21-28 entitled "Uniform
2 Controlled Substances Act" is hereby amended to read as follows:

3 **21-28-3.20.1. Authority of practitioner to prescribe, administer, and dispense —**
4 **Cancer, palliative care and chronic intractable pain.**

5 (a) A practitioner, in good faith and in the course of his or her professional practice
6 managing pain associated with a cancer diagnosis, palliative or nursing home care, intractable or
7 chronic intractable pain as provided in § 5-37.4-2, or other condition allowed by department of
8 health regulations pursuant to the exception in § 21-28-3.20(d), may prescribe, administer, and
9 dispense controlled substances without regard to the ~~2016 CDC Guideline for Prescribing Opioids~~
10 ~~for Chronic Pain~~ [CDC Clinical Practice Guideline for Prescribing Opioids for Pain--United States,](#)
11 [2022.](#)

12 (b) The director of health may promulgate those rules and regulations necessary to
13 effectuate the provisions of this section and ensure that rules governing pain management
14 associated with a cancer diagnosis, palliative or nursing home care, intractable or chronic
15 intractable pain as provided in § 5-37.4-2, or other condition allowed by department of health
16 regulations pursuant to the exception created in § 21-28-3.20(d), shall:

17 (1) Take into consideration the individualized needs of patients covered by this section;
18 and

19 (2) Make provisions for practitioners, acting in good faith, and in the course of their

1 profession, and managing pain associated with their patients' illness to use their best judgment
2 notwithstanding any statute, rule, or regulation to the contrary.

3 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT

- 1 This act would replace the 2016 CDC Guideline for Prescribing Opioids for Chronic Pain
- 2 with the 2022 CDC Clinical Practice Guideline for Prescribing Opioids for Pain.
- 3 This act would take effect upon passage.

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