

# HB3578



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3578

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

#### SYNOPSIS AS INTRODUCED:

720 ILCS 570/315.7 new

Amends the Illinois Controlled Substances Act. Provides that a prescriber shall prescribe naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression to a patient if the patient presents with an increased risk for overdose, including a patient with a history of overdose, a patient with a history of substance use disorder, or a patient at risk for returning to a high dose of opioid medication to which the patient is no longer tolerant. Provides other requirements and exemptions. Makes other changes. Effective January 1, 2022.

LRB102 12604 KMF 17942 b

A BILL FOR

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 315.7 as follows:

6 (720 ILCS 570/315.7 new)

7 Sec. 315.7. Prescriber requirements.

8 (a) Notwithstanding any provision of law to the contrary,  
9 a prescriber shall:

10 (1) Prescribe naloxone hydrochloride or another drug  
11 approved by the United States Food and Drug Administration  
12 for the complete or partial reversal of opioid depression  
13 to a patient when the patient presents with an increased  
14 risk for overdose, including a patient with a history of  
15 overdose, a patient with a history of substance use  
16 disorder, or a patient at risk for returning to a high dose  
17 of opioid medication to which the patient is no longer  
18 tolerant.

19 (2) Consistent with the existing standard of care,  
20 provide education to patients receiving a prescription  
21 under paragraph (1) of this subsection (a) on overdose  
22 prevention and the use of naloxone hydrochloride or  
23 another drug approved by the United States Food and Drug

1       Administration for the complete or partial reversal of  
2       opioid depression.

3           (3) Consistent with the existing standard of care,  
4       provide education on overdose prevention and the use of  
5       naloxone hydrochloride or another drug approved by the  
6       United States Food and Drug Administration for the  
7       complete or partial reversal of opioid depression to one  
8       or more persons designated by the patient, or, for a  
9       patient who is a minor, to the minor's parent or guardian.

10       (b) This Section does not apply to a prescriber when  
11       prescribing to an inmate or youth under the jurisdiction of  
12       the Department of Corrections or the Department of Juvenile  
13       Justice.

14       (c) A prescriber who does not comply with subsection (a)  
15       is subject to administrative sanctions under the appropriate  
16       licensing board. This Section does not create a private right  
17       of action against a prescriber and does not limit a  
18       prescriber's liability for the negligent failure to diagnose  
19       or treat a patient.

20       Section 99. Effective date. This Act takes effect January  
21       1, 2022.