

HB5846



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5846

by Rep. Dagmara Avelar

SYNOPSIS AS INTRODUCED:

720 ILCS 570/311.6

Amends the Illinois Controlled Substances Act. Provides that beginning January 1, 2024 (rather than January 1, 2023), notwithstanding any other provision of law, a prescription for a substance classified in Schedule II, III, IV, or V must be sent electronically. Effective immediately.

LRB102 29411 RLC 41404 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 changing Section 311.6 as follows:

6 (720 ILCS 570/311.6)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 Sec. 311.6. Opioid prescriptions.

10 (a) Beginning January 1, 2024, notwithstanding
11 ~~Notwithstanding~~ any other provision of law, a prescription for
12 a substance classified in Schedule II, III, IV, or V must be
13 sent electronically, in accordance with Section 316.
14 Prescriptions sent in accordance with this subsection (a) must
15 be accepted by the dispenser in electronic format.

16 (b) Notwithstanding any other provision of this Section or
17 any other provision of law, a prescriber shall not be required
18 to issue prescriptions electronically if he or she certifies
19 to the Department of Financial and Professional Regulation
20 that he or she will not issue more than 25 prescriptions during
21 a 12-month period. Prescriptions in both oral and written form
22 for controlled substances shall be included in determining
23 whether the prescriber will reach the limit of 25

1 prescriptions.

2 (c) The Department of Financial and Professional
3 Regulation shall adopt rules for the administration of this
4 Section. These rules shall provide for the implementation of
5 any such exemption to the requirements under this Section that
6 the Department of Financial and Professional Regulation may
7 deem appropriate, including the exemption provided for in
8 subsection (b).

9 (Source: P.A. 102-490, eff. 1-1-23.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.