

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 313 and by adding Section 315.6 as  
6 follows:

7 (720 ILCS 570/313) (from Ch. 56 1/2, par. 1313)

8 Sec. 313. (a) Controlled substances which are lawfully  
9 administered in hospitals or institutions licensed under the  
10 Hospital Licensing Act shall be exempt from the requirements  
11 of Sections 312, 315.6, and 316, except that the prescription  
12 for the controlled substance shall be in writing on the  
13 patient's record, signed by the prescriber, and dated, and  
14 shall state the name and quantity of controlled substances  
15 ordered and the quantity actually administered. The records of  
16 such prescriptions shall be maintained for two years and shall  
17 be available for inspection by officers and employees of the  
18 Illinois State Police and the Department of Financial and  
19 Professional Regulation.

20 The exemption under this subsection (a) does not apply to  
21 a prescription (including an outpatient prescription from an  
22 emergency department or outpatient clinic) for more than a  
23 72-hour supply of a discharge medication to be consumed

1 outside of the hospital or institution.

2 (b) Controlled substances that can lawfully be  
3 administered or dispensed directly to a patient in a long-term  
4 care facility licensed by the Department of Public Health as a  
5 skilled nursing facility, intermediate care facility, or  
6 long-term care facility for residents under 22 years of age,  
7 are exempt from the requirements of Section 312 except that a  
8 prescription for a Schedule II controlled substance must be  
9 either a prescription signed by the prescriber or a  
10 prescription transmitted by the prescriber or prescriber's  
11 agent to the dispensing pharmacy by facsimile. The facsimile  
12 serves as the original prescription and must be maintained for  
13 2 years from the date of issue in the same manner as a written  
14 prescription signed by the prescriber.

15 (c) A prescription that is generated for a Schedule II  
16 controlled substance to be compounded for direct  
17 administration to a patient in a private residence, long-term  
18 care facility, or hospice program may be transmitted by  
19 facsimile by the prescriber or the prescriber's agent to the  
20 pharmacy providing the home infusion services. The facsimile  
21 serves as the original prescription for purposes of this  
22 paragraph (c) and it shall be maintained in the same manner as  
23 the original prescription.

24 (c-1) A prescription generated for a Schedule II  
25 controlled substance for a patient residing in a hospice  
26 certified by Medicare under Title XVIII of the Social Security

1 Act or licensed by the State may be transmitted by the  
2 practitioner or the practitioner's agent to the dispensing  
3 pharmacy by facsimile or electronically as provided in Section  
4 311.5. The practitioner or practitioner's agent must note on  
5 the prescription that the patient is a hospice patient. The  
6 facsimile or electronic record serves as the original  
7 prescription for purposes of this paragraph (c-1) and it shall  
8 be maintained in the same manner as the original prescription.

9 (d) Controlled substances which are lawfully administered  
10 and/or dispensed in drug abuse treatment programs licensed by  
11 the Department shall be exempt from the requirements of  
12 Sections 312 and 316, except that the prescription for such  
13 controlled substances shall be issued and authenticated on  
14 official prescription logs prepared and maintained in  
15 accordance with 77 Ill. Adm. Code 2060: Alcoholism and  
16 Substance Abuse Treatment and Intervention Licenses, and in  
17 compliance with other applicable State and federal laws. The  
18 Department-licensed drug treatment program shall report  
19 applicable prescriptions via electronic record keeping  
20 software approved by the Department. This software must be  
21 compatible with the specifications of the Department. Drug  
22 abuse treatment programs shall report to the Department  
23 methadone prescriptions or medications dispensed through the  
24 use of Department-approved File Transfer Protocols (FTPs).  
25 Methadone prescription records must be maintained in  
26 accordance with the applicable requirements as set forth by

1 the Department in accordance with 77 Ill. Adm. Code 2060:  
2 Alcoholism and Substance Abuse Treatment and Intervention  
3 Licenses, and in compliance with other applicable State and  
4 federal laws.

5 (e) Nothing in this Act shall be construed to limit the  
6 authority of a hospital pursuant to Section 65-45 of the Nurse  
7 Practice Act to grant hospital clinical privileges to an  
8 individual advanced practice registered nurse to select, order  
9 or administer medications, including controlled substances to  
10 provide services within a hospital. Nothing in this Act shall  
11 be construed to limit the authority of an ambulatory surgical  
12 treatment center pursuant to Section 65-45 of the Nurse  
13 Practice Act to grant ambulatory surgical treatment center  
14 clinical privileges to an individual advanced practice  
15 registered nurse to select, order or administer medications,  
16 including controlled substances to provide services within an  
17 ambulatory surgical treatment center.

18 (Source: P.A. 100-513, eff. 1-1-18.)

19 (720 ILCS 570/315.6 new)

20 Sec. 315.6. Risks of dependence on opioids.

21 (a) Definitions. As used in this Section:

22 (1) "Opioid" means a narcotic drug or substance that  
23 is a Schedule II controlled substance under paragraph (1),  
24 (2), (3), or (5) of subsection (b) or under subsection (c)  
25 of Section 206 of this Act.

1           (2) "Department" means the Department of Human  
2           Services.

3           (b) The Department shall develop and make available on its  
4           website information on the risks of developing a physical or  
5           psychological dependence on opioids and any alternative  
6           treatments, including the Opioid Alternative Pilot Program.

7           (c) The Department shall develop and make available upon  
8           request to all prescribers, pharmacists, and patients in the  
9           State a pamphlet which explains the risks of developing a  
10           physical or psychological dependence on opioids. This pamphlet  
11           may contain any information which the Secretary of the  
12           Department deems necessary and may be revised by the  
13           Department whenever new information becomes available. The  
14           pamphlet shall be downloadable from the Department's website.

15           (d) A pharmacist shall, prior to dispensing an opioid that  
16           is a Schedule II controlled substance, furnish the pamphlet or  
17           information therein developed by the Department and discuss  
18           the risks of developing a physical or psychological dependence  
19           on opioids.

20           Section 99. Effective date. This Act takes effect upon  
21           becoming law.