



Sen. Jason Plummer

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10200HB3355sam001

LRB102 16962 KMF 25867 a

1 AMENDMENT TO HOUSE BILL 3355

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3355, on page 1, by  
3 replacing line 4 through line 5 with the following:

4 "Section 5. The Illinois Controlled Substances Act is  
5 amended by changing Section 313 and by adding Section 315.6 as  
6 follows:"; and

7 on page 1, immediately below line 5, by inserting the  
8 following:

9 "(720 ILCS 570/313) (from Ch. 56 1/2, par. 1313)

10 Sec. 313. (a) Controlled substances which are lawfully  
11 administered in hospitals or institutions licensed under the  
12 Hospital Licensing Act shall be exempt from the requirements  
13 of Sections 312, 315.6, and 316, except that the prescription  
14 for the controlled substance shall be in writing on the  
15 patient's record, signed by the prescriber, and dated, and  
16 shall state the name and quantity of controlled substances

1 ordered and the quantity actually administered. The records of  
2 such prescriptions shall be maintained for two years and shall  
3 be available for inspection by officers and employees of the  
4 Illinois State Police and the Department of Financial and  
5 Professional Regulation.

6 The exemption under this subsection (a) does not apply to  
7 a prescription (including an outpatient prescription from an  
8 emergency department or outpatient clinic) for more than a  
9 72-hour supply of a discharge medication to be consumed  
10 outside of the hospital or institution.

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

24 (c) A prescription that is generated for a Schedule II  
25 controlled substance to be compounded for direct  
26 administration to a patient in a private residence, long-term

1 care facility, or hospice program may be transmitted by  
2 facsimile by the prescriber or the prescriber's agent to the  
3 pharmacy providing the home infusion services. The facsimile  
4 serves as the original prescription for purposes of this  
5 paragraph (c) and it shall be maintained in the same manner as  
6 the original prescription.

7 (c-1) A prescription generated for a Schedule II  
8 controlled substance for a patient residing in a hospice  
9 certified by Medicare under Title XVIII of the Social Security  
10 Act or licensed by the State may be transmitted by the  
11 practitioner or the practitioner's agent to the dispensing  
12 pharmacy by facsimile or electronically as provided in Section  
13 311.5. The practitioner or practitioner's agent must note on  
14 the prescription that the patient is a hospice patient. The  
15 facsimile or electronic record serves as the original  
16 prescription for purposes of this paragraph (c-1) and it shall  
17 be maintained in the same manner as the original prescription.

18 (d) Controlled substances which are lawfully administered  
19 and/or dispensed in drug abuse treatment programs licensed by  
20 the Department shall be exempt from the requirements of  
21 Sections 312 and 316, except that the prescription for such  
22 controlled substances shall be issued and authenticated on  
23 official prescription logs prepared and maintained in  
24 accordance with 77 Ill. Adm. Code 2060: Alcoholism and  
25 Substance Abuse Treatment and Intervention Licenses, and in  
26 compliance with other applicable State and federal laws. The

1 Department-licensed drug treatment program shall report  
2 applicable prescriptions via electronic record keeping  
3 software approved by the Department. This software must be  
4 compatible with the specifications of the Department. Drug  
5 abuse treatment programs shall report to the Department  
6 methadone prescriptions or medications dispensed through the  
7 use of Department-approved File Transfer Protocols (FTPs).  
8 Methadone prescription records must be maintained in  
9 accordance with the applicable requirements as set forth by  
10 the Department in accordance with 77 Ill. Adm. Code 2060:  
11 Alcoholism and Substance Abuse Treatment and Intervention  
12 Licenses, and in compliance with other applicable State and  
13 federal laws.

14 (e) Nothing in this Act shall be construed to limit the  
15 authority of a hospital pursuant to Section 65-45 of the Nurse  
16 Practice Act to grant hospital clinical privileges to an  
17 individual advanced practice registered nurse to select, order  
18 or administer medications, including controlled substances to  
19 provide services within a hospital. Nothing in this Act shall  
20 be construed to limit the authority of an ambulatory surgical  
21 treatment center pursuant to Section 65-45 of the Nurse  
22 Practice Act to grant ambulatory surgical treatment center  
23 clinical privileges to an individual advanced practice  
24 registered nurse to select, order or administer medications,  
25 including controlled substances to provide services within an  
26 ambulatory surgical treatment center.

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