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H.627

Introduced by Representative Pugh of South Burlington

Referred to Committee on

Date:

Subject: Health; food and drugs; treatment of opiate addiction

Statement of purpose: This bill proposes to require the department of health to authorize opiate addiction treatment programs and to expand certain physicians' authority to provide opiate addiction treatment.

~~An act relating to an opiate addiction treatment system~~ *An act relating to an opioid addiction treatment system*

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. chapter 93 is added to read:

CHAPTER 93. TREATMENT OF OPIATE ADDICTION

§ 4751. PURPOSE

It is the purpose of this chapter to authorize the department of health to establish a regional system of opiate addiction treatment.

§ 4752. OPIATE ADDICTION TREATMENT SYSTEM

(a) The department of health shall establish by rule a regional system of opiate addiction treatment.

(b) The rules shall include the following requirements:

1 ~~(1) Patients shall receive appropriate, comprehensive behavioral~~  
2 ~~therapy.~~

3 ~~(2) A medical assessment shall be conducted to determine whether~~  
4 ~~pharmacological treatment, which may include methadone, buprenorphine, and~~  
5 ~~other federally approved medications to treat opiate addiction, is medically~~  
6 ~~appropriate.~~

7 ~~(3) Controlled substances for use in federally approved pharmacological~~  
8 ~~treatments for opiate addiction shall be dispensed only by:~~

9 ~~(A) a treatment program authorized by the department of health; or~~

10 ~~(B) a physician who is not affiliated with an authorized treatment~~  
11 ~~program but who meets federal requirements for use of controlled substances~~  
12 ~~in the pharmacological treatment of opiate addiction.~~

13 ~~(4) Comprehensive education and training requirements shall apply for~~  
14 ~~physicians, pharmacists, and certified or licensed alcohol and drug abuse~~  
15 ~~counselors affiliated with an approved treatment program, including relevant~~  
16 ~~aspects of behavioral therapy and pharmacological treatment.~~

17 ~~(5) Patients shall abide by rules of conduct, violation of which may~~  
18 ~~result in discharge from the treatment program, including:~~

19 ~~(A) provisions requiring urinalysis at such times as the program may~~  
20 ~~direct;~~

1 ~~(B) restrictions on medication dispensing designed to prevent~~  
2 ~~diversion of medications and to diminish the potential for patient relapse; and~~

3 ~~(C) such other rules of conduct as a provider authorized to provide~~  
4 ~~treatment under subdivision (3) of this subsection may require.~~

5 ~~(c) No later than January 15 of each year from 2013 through 2016,~~  
6 ~~inclusive, the commissioner shall report to the house committees on human~~  
7 ~~services and on health care and the senate committee on health and welfare~~  
8 ~~regarding the regional system of opiate addiction treatment.~~

9 Sec. 2. REPEAL

10 ~~Sec. 132 of No. 66 of the Acts of 2003 (Opiate addiction treatment) is~~  
11 ~~repealed on July 1, 2012.~~

12 Sec. 3. EFFECTIVE DATE

13 ~~This act shall take effect on July 1, 2012.~~

*Sec. 1. 18 V.S.A. chapter 93 is added to read:*

*CHAPTER 93. TREATMENT OF OPIOID ADDICTION*

*§ 4751. PURPOSE*

*It is the purpose of this chapter to authorize the department of health to*  
*establish a regional system of opioid addiction treatment.*

*§ 4752. OPIOID ADDICTION TREATMENT SYSTEM*

*(a) The department of health shall establish by rule a regional system of*  
*opioid addiction treatment.*

(b) The rules shall include the following requirements:

(1) Patients shall receive appropriate, comprehensive assessment and therapy from a licensed clinical professional with clinical experience in addiction treatment, including a psychiatrist, master's- or doctorate-level psychologist, mental health counselor, clinical social worker, or drug and alcohol abuse counselor.

(2) A medical assessment shall be conducted to determine whether pharmacological treatment, which may include methadone, buprenorphine, and other federally approved medications to treat opioid addiction, is medically appropriate.

(3) A routine medical assessment of the appropriateness for the patient of continued pharmacological treatment based on protocols designed to encourage cessation of pharmacological treatment as medically appropriate for the individual treatment needs of the patient.

(4) Controlled substances for use in federally approved pharmacological treatments for opioid addiction shall be dispensed only by:

(A) a treatment program authorized by the department of health; or

(B) a physician who is not affiliated with an authorized treatment program but who meets federal requirements for use of controlled substances in the pharmacological treatment of opioid addiction.

(5) Comprehensive education and training requirements shall apply for physicians, pharmacists, and the licensed clinical professionals listed in subdivision (1) of this subsection, including relevant aspects of therapy and pharmacological treatment.

(6) Patients shall abide by rules of conduct, violation of which may result in discharge from the treatment program, including:

(A) provisions requiring urinalysis at such times as the program may direct;

(B) restrictions on medication dispensing designed to prevent diversion of medications and to diminish the potential for patient relapse; and

(C) such other rules of conduct as a provider authorized to provide treatment under subdivision (4) of this subsection may require.

(c) No later than January 15 of each year from 2013 through 2016, inclusive, the commissioner shall report to the house committees on human services and on health care and the senate committee on health and welfare regarding the regional system of opioid addiction treatment, including the system's effectiveness.

**Sec. 2. REPEAL**

Sec. 132 of No. 66 of the Acts of 2003 (Opiate addiction treatment) is repealed on passage of this act.

**Sec. 3. EFFECTIVE DATE**

**BILL AS PASSED THE HOUSE**  
2012

H.627  
Page 6 of 6

*This act shall take effect on passage.*