



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature  
Second Regular Session

Senate: HHS DP 8-0-0-0 | 3<sup>rd</sup> Read 27-0-3-0

House: HHS DPA 9-0-0-0

## **SB 1162: opioid prescriptions; intractable pain; exceptions**

**Sponsor: Senator Barto, LD 15**

**House Engrossed**

### **Overview**

Expands the list of exemptions from the 90-morphine milligram equivalent (MME) limit on opioids prescriptions to include patients experiencing chronic intractable pain or receiving opioid treatment for perioperative care following an inpatient surgical procedure.

### **History**

[Laws 2018, First Special Session, Chapter 1, Sec. 29](#) outlines requirements for prescribing, administering and dispensing schedule II-controlled substances. It prohibits a health professional authorized to prescribe controlled substances from issuing a new prescription order to be filled or dispensed for a patient outside of a health care institution for a schedule II-controlled substance that is an opioid and that exceeds 90 MMEs per day and outlines exceptions.

If a health professional believes that a patient requires more than 90 MME per day and the patient is not included in the statutory exemptions, then the health provider must first consult with a licensed osteopathic physician or medical doctor board-certified in pain or an opioid assistance and referral call service designated by the Arizona Department of Health Services. The health professional may issue a prescription for more than 90 MME per day if the opioid assistance and referral call service or consulting physician agrees with the higher dose.

If the consulting physician is not available within 48 hours after the request, the health professional may prescribe the amount that they believe the patient requires and subsequently have the consultation. Consultation may be done by telephone or through telehealth ([A.R.S. § 32-3248.01](#)).

### **Provisions**

1. Exempts patients experiencing chronic intractable pain or receiving opioid treatment for perioperative care following an inpatient surgical procedure from the 90-MME per day limit on opioid prescriptions. (Sec. 1)
2. Clarifies that the 90-MME limit does not apply to a patient with chronic intractable pain once the patient has an established health-professional patient relationship and has tried doses of less than 90-MME that have been ineffective at addressing their pain. (Sec. 1)
3. Defines an *established health professional-patient relationship* as all of the following:
  - a) A patient has physically presented to a health professional with a medical complaint;
  - b) The health professional has taken a medical history of the patient;
  - c) The health professional has performed a physical examination of the patient; and
  - d) Some logical connection exists between the medical complaint, the medical history, the physical examination and medical complaint. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

4. Defines *chronic intractable pain* as pain that meets both of the following:
  - a) Is excruciating, constant, incurable and of such severity that it dominates virtually every conscious moment; and
  - b) Produces mental and physical debilitation. (Sec. 1)
5. Makes conforming changes. (Sec. 1)