Workers' Comp

Texas Joins Ranks of States with Opioid Limits

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The Texas legislature passed HB 2174, implementing several policy changes related to the prescribing of opioids, including new prescribing limits for acute pain. The legislation applies to all health care, including workers' compensation and auto insurance claims. The bill received significant debate and went through several iterations before the House and Senate settled on a final version.

Summary of the Various Provisions of the Bill:

- Authorizes a pharmacy or other dispenser, in an emergency situation to be defined by rule, to dispense or administer a controlled substance based on an oral prescription.
- Requires Schedule II drugs to be prescribed electronically by January 1, 2021, except in a defined emergency, with some exceptions.
- Adds an annual two-hour continuing education requirement for physicians, pharmacists and others designated to prescribe, handle or dispense a controlled substance.
- Limits the prescribing of opioids for acute pain to a 10-day supply with no refill option, with the following exceptions:
    - Chronic pain.
    - Pain related to cancer treatment.
    - Pain related to hospice or end-of-life care.
    - Pain being treated as part of palliative care.
    - Opioids approved by the FDA to treat substance abuse disorder/addiction.
- Requires the Texas Medicaid system to reimburse for substance abuse treatment for eligible enrollees (does not apply to workers' compensation or auto insurance claims).

The provisions of the bill are effective on September 1, 2019.

For a complete copy of the text of HB 2174, please click here.

If you have questions about this alert, or any other legislative or regulatory activity, please contact Brian Allen, Vice President of Government Affairs, at Brian.Allen@mitchell.com or at 801.903.5754.

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