

FIRST REGULAR SESSION

# HOUSE BILL NO. 438

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE APPELBAUM.

0623H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to guidelines for opioid prescriptions.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 192, RSMo, is amended by adding thereto one new section, to be known as section 192.980, to read as follows:

**192.980. 1. Before December 31, 2021, the department of health and senior services shall promulgate rules and regulations regarding opioid prescriptions for all health care professionals with the authority to prescribe opioids consistent with the Centers for Disease Control and Prevention (CDC) Guideline for Prescribing Opioids for Chronic Pain. Thereafter, the department shall review such rules and regulations every five years and update them as necessary. The rules and regulations shall include, but not be limited to, the following topics:**

- (1) Instruction on when to initiate or continue opioids for chronic pain;**
- (2) Selection of opioid type;**
- (3) Dosage of opioids;**
- (4) Duration of use of opioids;**
- (5) Follow up and discontinuation of opioids; and**
- (6) Instruction on assessing risk and addressing harms of opioid use.**

**2. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**  
19 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**  
20 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2021,**  
21 **shall be invalid and void.**

✓