

Legislation Text

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Amending Title 6 of The Philadelphia Code, entitled "Health Code," by creating a new Chapter 6-1200, entitled "Prescription Data Collection," to provide for submission of certain prescription data to the Department of Public Health solely for the purpose of administration and maintenance of the public health, in accordance with the Home Rule Charter, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Title 6 of The Philadelphia Code is hereby amended to read as follows:

TITLE 6. HEALTH CODE

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*CHAPTER 6-1200. PRESCRIPTION DATA COLLECTION*

§ 6-1201. *Definitions.*

*(1) Except as otherwise provided herein, the definitions set forth in the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act, Act No. 121 of 2014, as amended, 35 P.S. §§ 872.1, et seq., shall apply to this Chapter.*

*(2) Board. Philadelphia Board of Health.*

*(3) Department. Philadelphia Department of Public Health.*

§ 6-1202. *Establishment of the Prescription Collection Program.*

*(1) The Department, pursuant to regulations of the Board, is authorized to establish a program whereby the Department shall accept and retain prescription data, all according to the standards and requirements of this Chapter 6-1200.*

§ 6-1203. *Required submission.*

*(1) Every dispenser or pharmacy located in the City shall, according to the format determined by the Board, electronically submit to the department, for each controlled substance dispensed, the following information:*

*(a) The full name of the prescriber.*

(b) *The prescriber's Drug Enforcement Agency (DEA) registration number.*

(c) *The date the prescription was written.*

(d) *The date the prescription was dispensed.*

(e) *A unique identifying number assigned by the dispenser or pharmacy for the person for whom the prescription was written and dispensed. This number shall not indicate in any manner the identity, or any characteristics that could be used to reveal the identity, of the person.*

(f) *The National Drug Code.*

(g) *The quantity and days' supply.*

(h) *The DEA registration number and National Provider Identifier of the dispenser or pharmacy.*

(i) *The method of payment for the prescription.*

(2) *Frequency. A dispenser or pharmacy shall submit to the department all information required under subsection (1) no later than five days after the close of the month in which the controlled substance was dispensed. A dispenser or pharmacy may submit the required information more frequently, in a manner and on a schedule prescribed by the Board.*

§ 6-1203. *Responsibilities of the Board of Health.*

(1) *The Board of Health shall promulgate such regulations as may be necessary for administration of the program established by this Chapter, including:*

(a) *The method and standards for the required submission of data.*

§ 6-1204. *Access to Prescription Information.*

(a) *Confidentiality.--Except as set forth in subsection (b), prescription information submitted to the department pursuant to this Chapter shall be confidential and not subject to disclosure, except as required by law.*

(b) *Authorized users. Only department personnel authorized by the Board or by the Commissioner may be given access to the data submitted pursuant to this Chapter. Data accessed pursuant to this authorization may only be used for authorized purposes of the Department under Section 5-300 of the Home Rule Charter.*

SECTION 2. This Ordinance shall be effective immediately, except that the provisions of Section 6-1203 of the Code ("Required Submission"), added by Section 1 of this Ordinance, shall be effective upon a date set

forth in regulations of the Board of Health, not less than sixty (60) days after the Board of Health has finalized implementing regulations.