

New Law: California AB 2760 – Effective January 1, 2019

Are you prepared to implement AB 2760 as of January 1, 2019 ?

September 10, 2018, Governor Brown signed Assembly Bill 2760. The bill is effective January 1, 2019 and requires high-risk patients be prescribed the overdose reversal drug [Naloxone](#) when receiving prescriptions for opioids. The bill has an educational element that mandates a discussion of substance abuse with those receiving the prescriptions.

The bill is prescriptive in its requirements for prescribers; failure to provide the education and information required shall be referred to the licensing board imposing administrative sanctions.

Section 742

A prescriber who fails to offer a prescription, as required by paragraph (1) of subdivision (a) of Section 741, or fails to provide the education and use information required by paragraphs (2) and (3) of subdivision (a) of Section 741 shall be referred to the appropriate licensing board solely for the imposition of administrative sanctions deemed appropriate by that board. This section does not create a private right of action against a prescriber, and does not limit a prescriber's liability for the negligent failure to diagnose or treat a patient. Here is what the prescriber is required to do....

Section 741

- (a) Notwithstanding any other law, a prescriber shall do the following:
- (1) Offer a prescription for naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression to a patient when one or more of the following conditions are present:
 - (A) The prescription dosage for the patient is 90 or more morphine milligram equivalents of an opioid medication per day.
 - (B) An opioid medication is prescribed concurrently with a prescription for benzodiazepine.

(C) The patient presents with an increased risk for overdose, including a patient with a history of overdose, a patient with a history of substance use disorder, or a patient at risk for returning to a high dose of opioid medication to which the patient is no longer tolerant.

(2) Consistent with the existing standard of care, provide education to patients receiving a prescription under paragraph (1) on overdose prevention and the use of naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression.

(3) Consistent with the existing standard of care, provide education on overdose prevention and the use of naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression to one or more persons designated by the patient, or, for a patient who is a minor, to the minor's parent or guardian.

(b) This section does not apply to a prescriber when prescribing to an inmate or a youth under the jurisdiction of the Department of Corrections and Rehabilitation or the Division of Juvenile Justice within the Department of Corrections and Rehabilitation

To view the entire bill, visit:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180
[AB2760](#)