

No. 186

AN ACT

SB 759

Amending the act of September 26, 1961 (P. L. 1664), entitled "An act relating to the manufacture, sale and possession of drugs, devices and cosmetics; conferring powers on the courts and the secretary and Department of Health and a newly created Pennsylvania Drug, Device and Cosmetic Board; providing penalties; requiring registration of persons engaged in the drug trade and for the revocation or suspension of certain licenses and registrations; and repealing certain acts," authorizing the use of the drug methadone for research or the cure or treatment of the drug habit in certain clinics designated by the secretary and exempting such clinics from the provisions of the act relating to treatment of habitual users.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Clause (v) of section 4 and section 8, act of September 26, 1961 (P. L. 1664), known as "The Drug, Device and Cosmetic Act," are amended to read:

Section 4. Prohibited Acts.—The following acts and the causing thereof within the Commonwealth are hereby prohibited:

* * *

(v) The sale, dispensation, distribution, prescription or gift by any practitioner otherwise authorized by law so to do of any narcotic drugs to any person known to such practitioner to be an habitual user of any said drugs, unless said drug is prescribed, administered, dispensed or given, for the cure or treatment of some malady other than the drug habit pursuant to regulations providing for such use. *Notwithstanding any provisions of this clause, the drug methadone may be administered, dispensed or given under the supervision of a duly licensed practitioner during the conduct of research or for the cure or treatment of the drug habit in accordance with Federal narcotic and food and drug laws and regulations at clinics designated by the secretary pursuant to regulations providing for such use.*

* * *

Section 8. Treatment of Habitual Users.—The narcotic provisions of *this* act shall not be construed to apply to *research* or the treatment of habitual users of narcotic drugs under the supervision of a duly licensed practitioner authorized by law to prescribe such drugs in *clinics designated by the secretary*, hospitals, sanatoriums, poorhouses, prisons or public institutions, except that all such *clinics* or institutions shall render an annual report to the State Department of Health giving therein the names, addresses, *sex*, ages, clinical conditions and the results of *the research* or *the* treatment of all habitual users of drugs given treatment in said *clinics* or institutions.

No information furnished under the provisions of this section shall

be used or made available to further criminal prosecutions, investigations or harassment of any patient under the care of the reporting practitioner.

Section 2. This act shall take effect immediately.

APPROVED—The 12th day of January, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 186.



Joseph P. Kelly II
Secretary of the Commonwealth.