



COMMONWEALTH OF KENTUCKY
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VETO MESSAGE FROM THE
GOVERNOR OF THE COMMONWEALTH OF KENTUCKY
REGARDING HOUSE BILL 148 OF THE
2018 REGULAR SESSION

I, Matthew G. Bevin, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under section 88 of the Kentucky State Constitution, do hereby veto the following:

House Bill 148 of the 2018 Regular Session of the General Assembly in its entirety.

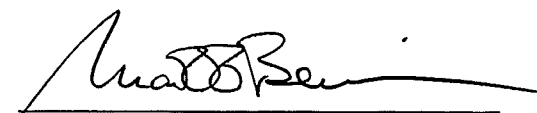
House Bill 148 is a well-meaning proposal intended to decrease the diversion of controlled substances by authorizing Hospice personnel to take possession of unused controlled substances. However, according to the U.S. Drug Enforcement Agency (DEA), transferring unused controlled substances to home health or hospice programs would be illegal under 21 USC 822(G)(4) for the following reasons:

- 1. The DEA does not register hospice providers. Therefore they do not have a DEA number in order to have controlled substances.*
- 2. The DEA does not allow, even if registered, for home health or hospice providers to take controlled substances back from end-users.*

Furthermore, House Bill 148 named the Department for Public Health as a reporting agency. The department has no statutory or regulatory authority over hospice, home health or controlled substances.

I commend the intent of this legislation and am personally committed to advancing every effective means that can be employed to reduce the scourge of drug abuse in the Commonwealth, but for the aforementioned reasons, I must veto House Bill 148.

This the 2nd day of April, 2018


Matthew G. Bevin
Governor