

1 AN ACT relating to administrative regulations for medications for substance use  
2 disorder and declaring an emergency.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 13A IS CREATED TO  
5 READ AS FOLLOWS:

6 *(1) The General Assembly finds that the following administrative regulations and*  
7 *any proposed amendments to the following administrative regulations are*  
8 *deficient:*

9 *(a) 201 KAR 9:270, Professional standards for prescribing, dispensing, or*  
10 *administering Buprenorphine-Mono-Product or Buprenorphine-Combined-*  
11 *with-Naloxone; and*

12 *(b) 201 KAR 20:065, Professional standards for prescribing Buprenorphine-*  
13 *MonoProduct or Buprenorphine-Combined-with-Naloxone by APRNs for*  
14 *medication assisted treatment for opioid use disorder.*

15 *(2) Contrary provisions of any section of the Kentucky Revised Statutes*  
16 *notwithstanding, the administrative regulations and any proposed amendments to*  
17 *the administrative regulations referenced in subsection (1) of this section shall be*  
18 *null, void, and unenforceable as of the effective date of this Act.*

19 *(3) Contrary provisions of any section of the Kentucky Revised Statutes*  
20 *notwithstanding, the administrative bodies shall be prohibited from promulgating*  
21 *administrative regulations that are identical to, or substantially the same as, the*  
22 *administrative regulations and any proposed amendments to the administrative*  
23 *regulations referenced in subsection (1) of this section.*

24 *(4) The administrative regulations and any proposed amendments to the*  
25 *administrative regulations referenced in subsection (1) of this section shall be*  
26 *available to the public, in the office of the Legislative Research Commission's*  
27 *regulations compiler.*

1        ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 311 IS CREATED TO  
2 READ AS FOLLOWS:

3        (1) Notwithstanding any state law or administrative regulation to the contrary, the  
4        State Board of Medical Licensure shall not promulgate any administrative  
5        regulation that restricts or limits the prescribing, dispensing, or administering of  
6        buprenorphine-mono-product, buprenorphine-combined-with-naloxone, or any  
7        other Schedule III, IV, or V medication approved by the United States Food and  
8        Drug Administration for the treatment of a substance use disorder.

9        (2) Subsection (1) of this section shall not prohibit the board from promulgating or  
10       enforcing administrative regulations in accordance with KRS Chapter 13A that  
11       apply to the prescribing, dispensing, or administering of all controlled substances  
12       in one (1) or more schedules of controlled substances, including but not limited to  
13       201 KAR 9:260.

14       ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 313 IS CREATED TO  
15 READ AS FOLLOWS:

16       (1) Notwithstanding any state law or administrative regulation to the contrary, the  
17       Kentucky Board of Dentistry shall not promulgate any administrative regulation  
18       that restricts or limits the prescribing, dispensing, or administering of  
19       buprenorphine-mono-product, buprenorphine-combined-with-naloxone, or any  
20       other Schedule III, IV, or V medication approved by the United States Food and  
21       Drug Administration for the treatment of a substance use disorder.

22       (2) Subsection (1) of this section shall not prohibit the board from promulgating or  
23       enforcing administrative regulations in accordance with KRS Chapter 13A that  
24       apply to the prescribing, dispensing, or administering of all controlled substances  
25       in one (1) or more schedules of controlled substances, including but not limited to  
26       201 KAR 8:540.

27       ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 314 IS CREATED TO

1 READ AS FOLLOWS:

- 2 (1) Notwithstanding any state law or administrative regulation to the contrary, the  
3 Kentucky Board of Nursing shall not promulgate any administrative regulation  
4 that restricts or limits the prescribing, dispensing, or administering of  
5 buprenorphine-mono-product, buprenorphine-combined-with-naloxone, or any  
6 other Schedule III, IV, or V medication approved by the United States Food and  
7 Drug Administration for the treatment of a substance use disorder.
- 8 (2) Subsection (1) of this section shall not prohibit the board from promulgating or  
9 enforcing administrative regulations in accordance with KRS Chapter 13A that  
10 apply to the prescribing, dispensing, or administering of all controlled substances  
11 in one (1) or more schedules of controlled substances, including but not limited to  
12 201 KAR 20:057.

13 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 315 IS CREATED TO  
14 READ AS FOLLOWS:

- 15 (1) Notwithstanding any state law or administrative regulation to the contrary, the  
16 Kentucky Board of Pharmacy shall not promulgate any administrative regulation  
17 that restricts or limits the prescribing, dispensing, or administering of  
18 buprenorphine-mono-product, buprenorphine-combined-with-naloxone, or any  
19 other Schedule III, IV, or V medication approved by the United States Food and  
20 Drug Administration for the treatment of a substance use disorder.
- 21 (2) Subsection (1) of this section shall not prohibit the board from promulgating or  
22 enforcing administrative regulations in accordance with KRS Chapter 13A that  
23 apply to the prescribing, dispensing, or administering of all controlled substances  
24 in one (1) or more schedules of controlled substances.

25 ➔Section 6. Whereas it is essential that the General Assembly promptly provide  
26 effective access to drugs and medicines in the Commonwealth in order to provide for the  
27 health and safety of citizens, an emergency is declared to exist, and this Act takes effect

- 1 upon its passage and approval by the Governor or upon its otherwise becoming a law.