

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.