



HOUSE BILL 287: Educate Patients About Opioid Antagonists.

2023-2024 General Assembly

Committee:	Senate Health Care. If favorable, re-refer to Rules and Operations of the Senate	Date:	June 11, 2024
Introduced by:	Reps. Sasser, K. Baker, White, Potts	Prepared by:	Jason Moran-Bates
Analysis of:	PCS to Third Edition H287-CSBP-26		Jessica Garrett Committee Staff

OVERVIEW: *The Proposed Committee Substitute to House Bill 287 would require practitioners and pharmacies to educate patients about the dangers of opioids, the prevention of overdoses, and the availability of opioid antagonists for reversal of opioid overdoses when receiving a prescription for a Schedule II controlled substance. It would also extend the current exemption for incarcerated individuals from participation in Medicaid managed care. In addition, it would allow reciprocal licensure for licensed marriage and family therapists, amend the supervision requirements for licensed psychological associates, remove rehabilitation facilities and beds from certificate of need review, and increase the number of in-class instruction hours necessary for licensure as a massage therapist.*

Section 1

BILL ANALYSIS: Section 1 would require Practitioners to provide information about the following to patients when prescribing a Schedule II controlled substance:

- Potential dangers of opioids;
- Overdose prevention;
- Availability and use of opioid antagonists to reverse opioid overdoses.

If treating a minor, a practitioner would be required to supply the information to the minor's guardian.

A pharmacy would be required to provide the same information when dispensing a Schedule II controlled substance, and to post signage with the information in a conspicuous place.

A practitioner's liability would not be limited for negligent treatment of a patient and failure to follow the requirements would not create a private right of action.

A practitioner providing hospice services and a veterinarian acting in the practice of veterinary medicine would be exempt from the requirements of this act.

EFFECTIVE DATE: This section would be effective December 1, 2025.

Section 2

BILL ANALYSIS: Section 2 would extend the current exemption for justice-involved individuals from participation in Medicaid managed care, as follows:

Jeffrey Hudson
Director



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- Inmates in prison would continue to be excluded from enrolling with prepaid health plans (PHPs) after their release from prison during their initial Medicaid eligibility period, or for 365 days, whichever is less.
- Inmates in other carceral setting, such as jails and juvenile justice facilities, who have had their Medicaid eligibility suspended would be excluded from enrolling with PHPs while incarcerated. The exclusion would continue after their release from incarceration during their initial Medicaid eligibility period, or for 365 days, whichever is less.

EFFECTIVE DATE: This section would be effective January 1, 2025.

Section 3

CURRENT LAW: Under current law, marriage and family therapists (LMFT) who are licensed by another state may be reciprocally licensed in North Carolina if they have passed a national exam, have no outstanding discipline, and have been continuously licensed for five years.

BILL ANALYSIS: Section 3 would allow LMFTs who had been licensed for two years to be reciprocally licensed if they met all the other currently existing criteria. LMFTs who had been licensed for less than two years could be reciprocally licensed if they passed an exam on North Carolina jurisprudence, in addition to the currently existing criteria. Section 4 would also make conforming changes to the LMFT statutes.

EFFECTIVE DATE: This section would be effective October 1, 2024, and apply to applications for licensure received on or after that date.

Section 4

CURRENT LAW: Under current law, all licensed psychological associates must be supervised by a qualified psychologist or other qualified professional.

BILL ANALYSIS: Section 4 would allow psychological associates who have 4,000 hours of post-licensure practice experience to practice without supervision. Section 4 would also allow the Psychology Board to adopt rules for psychological associates who want to practice in the areas of neuropsychology or forensic psychology to demonstrate they had adequate skills to practice in those areas. Finally, Section 4 would make conforming changes to the Psychology Practice Act.

EFFECTIVE DATE: This section would be effective October 1, 2024.

Section 5

CURRENT LAW: Under current law rehabilitation facilities and rehabilitation facility beds are subject to certificate of need review.

BILL ANALYSIS: Section 5 would remove rehabilitation facilities and rehabilitation facility beds from certificate of need review.

EFFECTIVE DATE: This section would be effective when it becomes law.

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Section 6

CURRENT LAW: Under current law, 500 hours of in-class training are necessary for licensure as a massage therapist.

BILL ANALYSIS: Section 6 would raise the number of in-class training hours for licensure as a massage therapist to 650.

EFFECTIVE DATE: This section would be effective July 1, 2024, and apply to licensure applications received on or after that date.

BACKGROUND: Most massage schools in North Carolina require 650 hours for graduation even though state law only requires 500 hours for licensure. Due to a change in federal regulations effective July 1, 2024, federal financial aid will only be available for the number of education hours required for licensure in the state. Section 7 of the bill would ensure that federal financial aid is available for the entirety of most massage therapy programs in North Carolina.