

ASSEMBLY, No. 3495

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

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District 30 (Monmouth and Ocean)

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SYNOPSIS

Establishes certain protocols for prescribing and dispensing benzodiazepine.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning benzodiazepines and supplementing Title 24 of
2 the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. As used in this act:

8 “Benzodiazepine” means any substance or drug, including
9 alprazolam, clonazepam, diazepam, lorazepam, and temazepam,
10 which: contains a benzene ring fused to a seven member diazepine
11 ring; results in the depression of the central nervous system; and is
12 primarily intended to treat insomnia, convulsions, anxiety, muscle
13 relaxation, and for pre-operation treatment.

14 “Long-term care facility” means a nursing home, assisted living
15 residence, comprehensive personal care home, residential health
16 care facility, or dementia care home licensed pursuant to P.L.1971,
17 c.136 (C.26:2H-1 et seq.).

18 “Non-benzodiazepine hypnotic” means any substance or drug
19 which produces effects similar to benzodiazepine and is primarily
20 intended to treat insomnia, including zaleplon, zopiclone, and
21 zolpidem.

22 “Pharmacist” means an individual currently licensed by this State
23 to engage in the practice of pharmacy who does not dispense
24 medication to patients in long-term care facilities.

25 “Practitioner” means an individual currently licensed, registered,
26 or otherwise authorized by this State to prescribe drugs in the
27 course of professional practice who does not treat patients in long-
28 term care facilities.

29

30 2. The Department of Health shall:

31 (a) establish protocols for practitioners to follow including a
32 slow, patient controlled tapering and encouraging the use of the
33 Ashton manual to safely discontinue patients’ use of
34 benzodiazepines and non-benzodiazepines hypnotics to minimize
35 patients’ symptoms of withdrawal, and permitting patients with
36 long-term use of benzodiazepines, who are dependent on the
37 medication, to remain on the medication or to safely taper at a rate
38 that is determined by the patient’s symptoms;

39 (b) produce and distribute in written or electronic form to
40 pharmacies and practitioners to distribute to patients, a cautionary
41 pamphlet for consumers regarding benzodiazepines and non-
42 benzodiazepine hypnotics on:

43 (1) misuse and abuse by adults and children;

44 (2) risk of dependency and addiction;

45 (3) proper storage and disposal; and

46 (4) addiction support and treatment resources;

47 (c) prohibit a practitioner or pharmacist from prescribing or
48 dispensing a benzodiazepine or a non-benzodiazepine hypnotic

1 unless pharmacist and practitioner has furnished the patient the
2 pamphlet provided for in paragraph (b) of this section, and has
3 collected the patient's signed consent form, as determined by the
4 Department of Health;

5 (d) require bold lettering labels on benzodiazepine or non-
6 benzodiazepine hypnotic prescriptions to alert patients to the risk of
7 dependence, addiction, or both; and

8 (e) prohibit one benzodiazepine or one non-benzodiazepine
9 hypnotic prescription to exceed four weeks unless there is a proven
10 medical need, medical exception, or both.

11
12 3. The Department of Health shall adopt, pursuant to the
13 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
14 seq.), rules or regulations necessary to effectuate the provisions of
15 this act.

16
17 4. This act shall take effect 180 days after the date of
18 enactment.

21 STATEMENT

22
23 This bill establishes protocols for prescribing and dispensing
24 benzodiazepine.

25 Under the bill, the Department of Health (department) is to:
26 establish protocols for practitioners to follow including a slow,
27 patient controlled tapering and encouraging the use of the Ashton
28 manual to safely discontinue patients' use of benzodiazepines and
29 non-benzodiazepines hypnotics to minimize patients' symptoms of
30 withdrawal, and permitting patients with long-term use of
31 benzodiazepines, who are dependent on the medication, to remain
32 on the medication or to safely taper at a rate that is determined by
33 the patient's symptoms; produce and distribute in written or
34 electronic form to pharmacies and practitioners to distribute to
35 patients, a cautionary pamphlet for consumers regarding
36 benzodiazepines and non-benzodiazepine hypnotics on: (1) misuse
37 and abuse by adults and children; (2) risk of dependency and
38 addiction; (3) proper storage and disposal; and (4) addiction support
39 and treatment resources. The department is to prohibit one
40 benzodiazepine or one non-benzodiazepine hypnotic prescription to
41 exceed four weeks unless there is a proven medical need, medical
42 exception, or both. The department is to prohibit a practitioner or
43 pharmacist from prescribing or dispensing a benzodiazepine or a
44 non-benzodiazepine hypnotic unless pharmacist and practitioner
45 furnishes the patient with the pamphlet provided for in this bill and
46 collects the patient's signed consent form. Further, the department
47 is to require bold lettering labels on benzodiazepine or non-

- 1 benzodiazepine hypnotic prescriptions to alert patients to the risk of
- 2 dependence, addiction, or both.
- 3 The provisions of this bill do not apply to pharmacists who
- 4 dispense medication to patients in long-term care facilities or
- 5 practitioners who treat patients in long-term care facilities.