

SAFETY AND PROFESSIONAL SERVICES -- REGULATION OF PROFESSIONS

Prescription Drug Monitoring Program Review Requirements

[LFB Paper #561]

Motion:

Move to adopt Alternative 1 from LFB paper #561, which would adopt the Governor's recommendation to provide 5.0 PR positions to increase staff support for the operations of the prescription drug monitoring program (PDMP), but reduce funding in the bill by \$92,000 PR in 2017-18 to budget these new positions for nine months, rather than 12 months, in 2017-18.

In addition, modify provisions relating to the use of the PDMP by permitting a practitioner's agent, in accordance with applicable standards of practice, to conduct a review of a PDMP record on behalf of a practitioner. Finally, specify that the Controlled Substances Board may only refer a pharmacist, pharmacy, or practitioner to the appropriate law enforcement agency for investigation and possible prosecution when the Board has determined that a criminal violation may have occurred.

Note:

This motion would adopt Alternative A1 from LFB Paper #561, and make two changes relating to the operation of the PDMP, by incorporating LRB 3399/P3 into the bill.

Under current law, a healthcare practitioner is required to review a patient's PDMP record prior to issuing them a prescription order for a controlled substance. This motion would change the requirement to allow the required review of the PDMP record to be conducted by the practitioner's agent in accordance with applicable standards of practice.

Additionally, current law permits the Controlled Substances Board to refer to the appropriate licensing or regulatory board for discipline, or the appropriate law enforcement agency for investigation and possible prosecution, a pharmacist, pharmacy, or practitioner that fails to comply with PDMP rules. This motion would stipulate that the Controlled Substances Board may only refer a pharmacist, pharmacy, or practitioner to the appropriate law enforcement agency for investigation and possible prosecution when the Board has determined that a criminal violation may have occurred.

[Change to Base: \$944,600 PR and 5.0 PR positions]

[Change to Bill: -\$92,000 PR]