

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

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<b>Action:</b>	Do Pass as Amended, Be Printed Engrossed, and Be Referred to the Committee on Ways and Means by prior reference
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Kruse, Monnes Anderson, Telfer, Verger, Morrisette
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Jennifer Kellar, Administrator
<b>Meeting Dates:</b>	2/9, 2/11, 3/11, 4/1, 4/13

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**WHAT THE MEASURE DOES:** Requires the State Board of Pharmacy to establish and maintain an electronic database to collect and centrally store pharmacy records for controlled substances (Schedule II, III, IV) dispensed throughout the state. Specifies conditions under which the Board can disclose data to individuals, researchers, certified practitioners and pharmacists, law enforcement agencies, health professional regulatory boards, and other state reporting programs. Stipulates that providers are not required to utilize information in the database when making prescribing decisions. Imposes an annual \$25 licensing fee on each individual licensed by the board who is authorized to prescribe or dispense controlled substances. Creates the Prescription Monitoring Program Advisory Commission to provide guidance to the Board and establish membership and roles of Commission. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Widespread abuse of controlled substances, “doctor shopping” and “pharmacy hopping”
- Benefits of a centralized database for providers and patients
- Other states’ prescription drug monitoring programs
- Reasons to allow Board to develop program details by rule, rather than to include in statute
- Potential for breach of security and/or identity theft
- Issues related to individuals’ right to privacy
- Review of proposed safeguards
- Importance of 24/7 capability
- Misuse and abuse of prescription drugs
- Immediate and ongoing funding source(s)
- Fiscal impact and current funding levels

**EFFECT OF COMMITTEE AMENDMENT:** Includes new language specifying that a pharmacist may not refuse to fill a valid prescription solely because the pharmacist cannot receive patient information from the prescription monitoring program and delineating the civil penalty process and associated fees imposed by the Board for non-compliance violations. Modifies current language to denote specific category of representation on Board of Pharmacy. Provides housekeeping changes. Specifies that a practitioner’s professional practice cannot be evaluated based upon information submitted to the prescription monitoring program. Delineates out six boards specific to definition of “board”. Imposes an annual \$25 licensing fee on each individual licensed by the board who is authorized to prescribe or dispense controlled substances. Allows the remitting board to retain 10 percent of the fees collected to cover accounting and fee collection costs. Requires the remitting board to transmit 90 percent of the fees collected to the Electronic Prescription Monitoring fund on a calendar quarterly basis.

**BACKGROUND:** Prescription Drug Monitoring Programs (PDMPs) provide resources for prescribed controlled substance data collection and analysis at the state level, funding for existing programs, and provide for the exchange of collected prescription data between law enforcement, licensing boards, pharmacists and providers. The primary purpose of PDMPs is to reduce the abuse of controlled pharmaceutical substances.

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*This summary has not been adopted or officially endorsed by action of the committee.*