



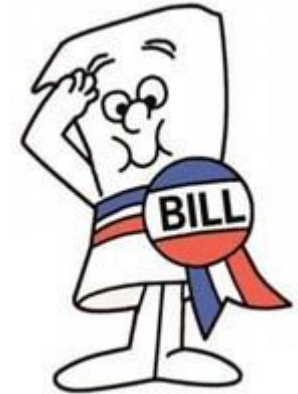
Prescription Drug Monitoring Program Training and Technical Assistance Center

# West Region Bills and Regulations 2018

Heather Gray, Legal Coordinator

PDMP TTAC

- 28 bills and 8 regulations introduced in 13 states
- 8 bills enacted in 6 states (AZ, CA, ID, OR, UT, WA)
- 5 regulations passed in 4 states (AK, AZ, NV, WY)





## Enacted Legislation

- AZ HB 2149 – requires pharmacists and pharmacy technicians or pharmacy interns at a remote dispensing site pharmacy to query the PDMP prior to dispensing a Schedule II drug
- AZ SB 1001 - 1) deletes requirement that a medical practitioner regulatory board may only receive PDMP information if the requesting board certifies in writing that the information is necessary for an open investigation or complaint; 2) adds licensed pharmacy technician trainee, pharmacy technician, and pharmacy intern to definition of “delegate”

## Enacted Legislation

- AZ SB 1001, cont'd. - 3) requires the board of pharmacy to notify pharmacists of their duty to register with the PDMP and requires the board to provide access to the PDMP to each pharmacist with a valid license and who is employed by a facility that has a valid DEA registration number; 4) requires dispensers to query the PDMP before dispensing a Schedule II substance at the beginning of each new course of treatment; requires the board of pharmacy to develop a one year waiver process for pharmacists who cannot comply due to technological limitations not within their control or other exceptional circumstances; 5) changes exception from 10 days to 5

## Enacted Legislation

- AZ SB 1111 – amends provisions related to mandatory queries for worker’s compensation physicians
- CA AB 1048 – provides that pharmacists who partially fill a Schedule II controlled substance prescription shall only report the actual amount dispensed to the PDMP
- ID HB 354 – requires opioid antagonists dispensed to be reported to the PDMP

## Enacted Legislation

- OR HB 4143 – requires practitioners to register with the PDMP by July 1, 2018
- UT HB 158 – allows access to PDMP information by members of the Utah Opioid Fatality Review Committee
- WA SB 6032 – appropriates funds for the purpose of establishing a statewide electronic emergency medical services data system for licensed ambulances and aid services to report and furnish patient encounter data, distribution of health care supplies, and for knowledge-based identity verification for the PDMP and additional funds for additional staff to coordinate the integration of the PDMP data into electronic health systems

## Enacted Legislation

- WY SF 78 – creates the opioid addiction task force which shall consider the following issues, among others: PDMPs and electronic prescribing systems, including the PDMP and patient prescription history verification requirements



## Passed Regulations

- AK 12 AAC 02.107 – establishes fees for registration with the PDMP by a pharmacist who dispenses or a practitioner who prescribes, administers, or directly dispenses a Schedule II – IV controlled substance: \$25 initial registration; \$25 biennial registration renewal fee
- AZ R9-10-120 – related to health care institutions where opioids are prescribed or dispensed; requires administrators to establish policies and procedures for how, when, and by whom a patient's PDMP profile is reviewed and ensuring that the medical practitioner conducts such review



## Passed Regulations

- NV NAC 639.926 – adds Schedule V to list of substances to be reported to the PDMP
- WY ADC AI PHAR Ch. 18, Sec. 6 – new rule requiring the dispensing of opiate antagonists to be reported to the PDMP



## Pending Legislation

- CA – 5 bills still pending
  - Interstate sharing
  - Adds Schedule V substances
  - Allows prescribers to access list of patients for whom that practitioner is listed as prescriber in the PDMP
  - Requires that a description of the diagnosis, condition, or purpose for which the prescription was issued and directions for use be reported to the PDMP

## Pending Legislation

- CO – 2 bills still pending
  - Committee to study the best practices on the use of the PDMP
  - Allows access to PDMP by any practitioner with statutory authority to prescribe controlled substances
  - Requires the practitioner and his/her designee to identify his/her area of specialty or practice upon initial query of the PDMP
  - Mandatory query requirements
  - Allows direct access to PDMP information through EHRs

## Pending Legislation

- HI – 3 bills still pending
  - Allows authorized employees of the dept of health, alcohol, and drug abuse division and the emergency medical services and injury prevention system branch to receive information from the PDMP
  - Mandatory query requirements

## Pending Regulations

- AK – 1 regulation still pending
  - Requires pharmacists to register with the PDMP
  - Requires daily reporting of dispensing information
  - Mandatory query requirements
  - Amends data purge provisions
  - Amends provisions regarding discipline for violation of regulations

## Pending Regulations

- ID – 1 regulation still pending
  - Changes data collection interval to end of next business day
  - Limits online access to prescribers, dispensers, and their delegates
  - Includes disciplinary provisions for violations of regulation
- NM – 1 regulation still pending
  - Creates new rule for psychologists related to the PDMP

## Federal Legislation



- HR 3832 – Veterans Opioid Abuse Prevention Act – provisions related to mandatory queries by VA providers
- HR 4236 – amendments to 21<sup>st</sup> Century Cures Act, Minimum Requirements for State Prescription Drug Monitoring Programs – requires states to meet uniform electronic formats for reporting dispensing information, standards of interoperability, and reporting within one business day

## Federal Legislation

- HR 4482 – Opioid Abuse Deterrence, Research and Recovery Act of 2017 – mandatory queries for practitioners prescribing more than 7-day supply of Schedule II or III opioids
- SB 2456 – CARA 2.0 Act of 2018 – funding contingent on: mandatory queries for practitioners before initiating treatment with any controlled substance; proactive notifications; data reporting within 24 hours; proactive reports to law enforcement for prescribers falling outside prescribing norms; interstate sharing



# Upcoming Legislative Updates

- Prescribing restrictions
- Voluntary non-opioid directives
- Naloxone reporting
- Practitioner education
- EHR and HIEs



## Contact Information:

Heather Gray  
Legal Coordinator  
Training and Technical Assistance Center  
[hgray@pdmpassist.org](mailto:hgray@pdmpassist.org)  
(781) 609-7741



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