
**Health Care & Wellness
Committee**

HB 1553

Brief Description: Establishing a controlled substances prescription monitoring program.

Sponsors: Representatives Hinkle, Morrell, Moeller, Seaquist, Curtis, Linville, Green and Ormsby.

Brief Summary of Bill

- Establishes a program for electronically monitoring prescribing practices related to controlled substances.

Hearing Date: 2/19/07

Staff: Chris Blake (786-7392).

Background:

The Department of Health (Department) maintains a triplicate prescription form program that may be imposed upon health care providers with prescription or dispensing authority. Any disciplining authority may require that a license holder participate in the program as part of a disciplinary action or supervised practice arrangement. Under the program, when prescribing or dispensing drugs specified by the disciplining authority, the provider must provide the original prescription to the patient, retain a copy for potential inspection purposes, and submit a copy to the Department on a monthly basis.

Summary of Bill:

The Department shall establish a web-based, interactive prescription drug monitoring program. The program shall monitor the prescribing and dispensing of all Schedule II-V controlled substances and any other drugs that present a potential for abuse as determined by the Board of Pharmacy. The reporting requirement applies to all licensed health care providers that may dispense such drugs.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Within a year of the effective date of the act, dispensing providers must submit specified information electronically to the Department. The information that must be submitted includes: patient identifiers; the drugs dispensed and the date and quantity; the prescriber's identity; and the dispenser's identity.

Data submitted to the Department is not subject to public disclosure and must remain confidential except as otherwise provided. The Department may review the information submitted by any provider and notify appropriate law enforcement agencies, licensing entities where there is reasonable cause to believe that a violation of law or breach of professional standards has occurred. The Department may also disclose prescription information to:

- health care providers who are authorized to dispense or prescribe controlled substances for the purpose of providing medical or pharmaceutical care;
- the person who is the subject of the information;
- health profession credentialing entities;
- local, state, and federal law enforcement or prosecutorial officials engaged in a bona fide specific investigation of a designated person;
- authorized practitioners of the Department of Social and Health Services engaged with respect to a Medicaid program recipient;
- entities under a grand jury subpoena or court order; and
- department personnel for administering the program or enforcing the controlled substances laws.

Dispensers and practitioners are immune from civil, criminal, or administrative immunity when conducting activities related to the information in good faith.

Appropriation: None.

Fiscal Note: Requested on February 14, 2007.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.