



**State Monitoring of Prescription Drugs and Methamphetamine Precursors
Bill Status Update
April 2008**

(As of February 2007, this update includes summaries of bills related to electronic tracking systems for retail sales of ephedrine and pseudoephedrine products)

© 2008 Research is current as of April 25th, 2008. In order to ensure that the information contained herein is as current as 1 possible, research is conducted using both nationwide legal database software and individual state legislative websites. Please contact Sarah Kelsey at (703) 836-6100, ext. 119 or skelsey@namsdl.org with any additional updates or information that may be relevant to this document. This document is intended for educational purposes only and does not constitute legal advice or opinion. Headquarters Office: THE NATIONAL ALLIANCE FOR MODEL STATE DRUG LAWS. 1414 Prince Street, Suite 312, Alexandria, VA 22314. (703) 836-6100.

Please Note: The first portion of this report provides a listing of all relevant bills and resolutions and each measure's status in its respective legislature. The second portion provides more detailed summaries of bills and resolutions that have progressed significantly through the legislative process (i.e. have passed at least one body of a state legislature, are in a conference committee, have been sent to a governor, are approved/enacted)

ALABAMA

- HB 328 – Read Second Time in Senate (4/22/08) – An appropriations measure that includes \$525,688 for the Controlled Substance Database Fund
- HB 495 – Read Second Time in Senate (4/3/08) – Amends the reporting requirements and access provisions of the state's Prescription Drug Monitoring Program

ALASKA

- SB 196 – Awaiting Transmission to the Governor (4/12/08) – Establishes a controlled substance prescription database
- HB 316 – Referred to House Judiciary Committee (2/8/08) – Establishes a controlled substance prescription database
- HB 343 – Referred to House Finance Committee (1/30/08) – An appropriations measure that includes prescription drug monitoring
- SB 256 – Approved With Partial Vetoes and Reductions (4/4/08) – An appropriations measure that includes \$49,436 for prescription drug monitoring
- HB 310 – Awaiting Transmittal to the Governor (4/12/08) – An appropriations measure that includes both \$400,000 for the Department of Commerce, Community and Economic Development and \$86,000 for the Department of Health and Human Services for the state's Prescription Database (established by SB 196)

ARIZONA

- HB 2553 – Second House Reading (1/30/08) – Authorizes the release of prescription data to the animal services divisions of the department of agriculture

CALIFORNIA

- SB 1779 – Read Second Time (4/29/08) – Adds clinics to the list of entities required to report prescription data

CONNECTICUT

- SB 514 – Moved to Foot of Calendar (4/3/08) – Authorizes a Connecticut-licensed pharmacist to dispense prescriptions kept in a common database and provides that a pharmacist dispensing a prescription through a common database has the right and obligation to exercise his/her professional judgment about dispensing a prescription

FLORIDA

- HB 1011 – On Health Quality Committee Agenda (3/14/08) – Establishes an electronic monitoring system for dispensing controlled substances
- SB 1388 – Referred to Health Regulation, Criminal Justice, Judiciary, Criminal & Civil Justice Appropriations Committees (3/4/08) – Requires the Department of Law Enforcement to provide retailers of methamphetamine precursors with access to a centralized real-time electronic logbook for purposes of entering transaction data
- SB 1390 – Referred to Health Regulations, Criminal Justice, Judiciary, Governmental Operations and Rules Committees (3/4/08) – Provides an exemption from public-records requirements for information concerning the retail sale of ephedrine and related compounds
- SB 2724 – Combined with SB 1550 (4/1/08) – Requires the Department of Health to establish an electronic system to monitor the prescribing and dispensing of controlled substances
- SB 1550 – On Committee Agenda (4/17/08) – Facilitates the design and operation of a website that would give health care practitioners, pharmacies and pharmacists access to patient medication history through a privacy-protected website
- SB 2782 – Combined with SB 1540 (4/1/08) – Exempts information reported to the Department of Health under the electronic prescription monitoring system from public records requirements; authorizes certain persons to access patient-identifying information
- SB 1540 – On Committee Agenda (4/17/08) – Exempts information reported to agencies that have access to or who operate the privacy-protected website containing patient-identifying information from public records requirements
- HB 1243 – On Committee Agenda (3/14/08) - Exempts information reported to the Department of Health under the electronic prescription monitoring system from public records requirements; authorizes certain persons to access patient-identifying information
- HB 1347 – Referred to Urban & Local Affairs (3/14/08) – Establishes an electronic system for monitoring prescriptions for specific controlled systems within Broward County

GEORGIA

- HB 455 – Passed House, Read and Referred in Senate (2/27/08) – Enacts the Prescription Monitoring Act
- SB 457 – Read and Referred in Senate (2/13/08) – Establishes the “MethCheck” database for electronically recording the identity of individuals who purchase certain medications used in the production of methamphetamine
- SR 1093 – Passed & Adopted (4/2/08) – Creates a study committee for the creation of a “MethCheck” database

HAWAII

- HB 3404 – Introduced (1/23/08) – Requires the Narcotics Enforcement Division of the Department of Public Safety to maintain an electronic purchase logbook for sales of pseudoephedrine and related substances
- HB 2345 – Re-referred to Health Judiciary and Finance Committees (1/25/08) – Requires pharmacies and retailers of controlled substances to record and forward information about pseudoephedrine sales to the Narcotics Enforcement Division; requires the Division to maintain an electronic purchase logbook
- HB 2530 – Report Adopted (2/15/08) – Requires the Narcotics Enforcement Division of the Department of Public Safety to maintain an electronic purchase logbook for sales of pseudoephedrine and related substances
- HB 3018 – Referred to Health Judiciary Committee (1/25/08) - Requires the Narcotics Enforcement Division of the Department of Public Safety to maintain an electronic purchase logbook for sales of pseudoephedrine and related substances
- SB 2373 – Reported from Conference Committee (4/24/08) – Requires pharmacies and retailers to maintain an electronic log of sales of pseudoephedrine and related products and transmit that information to the Department of Public Safety Narcotics Enforcement Division
- SB 2130 – Committee Deferred on the Measure (2/5/08) - Requires the Narcotics Enforcement Division of the Department of Public Safety to maintain an electronic purchase logbook for sales of pseudoephedrine and related substances
- SB 1043 – Carried Over from 2007 Session (8/27/07) – Requires pharmacies and retailers of controlled substances to forward to the Narcotics Enforcement Division required identification information of the purchasers of pseudoephedrine; requires the division to maintain an electronic purchase log of the information and make it accessible to law enforcement agencies for the prosecution of operators of clandestine methamphetamine labs
- HB 677 – Carried Over from 2007 Session (8/27/07) – Requires electronic logs of pseudoephedrine sales to be made in real time and maintained for 2 years in a form searchable by law enforcement

IDAHO

- HB 389 – Governor Signed (3/17/08) – Amends provisions related to whom prescription database information is available

ILLINOIS

- HB 5250 – Re-referred to Rules Committee (3/14/08) – Prohibits the licensure, transference, use or sale of any records relative to prescription information containing patient-identifiable or prescriber-identifiable data

IOWA

- HF 2265 – Referred to Judiciary (3/10/08) – Requires the establishment of a real-time electronic repository to monitor and control the sale of Schedule V products containing any detectable amount of pseudoephedrine, ephedrine or phenylpropanolamine
- SSB 3015 – Recorded (1/15/08) - Requires the establishment of a real-time electronic repository to monitor and control the sale of Schedule V products containing any detectable amount of pseudoephedrine, ephedrine or phenylpropanolamine

KANSAS

- SB 491 – Approved by Governor (4/21/08) – Enacts the Prescription Monitoring Act
- SB 503 – Referred to Public Health & Welfare (1/30/08) – Enacts the Methamphetamine Precursor Recording Act

KENTUCKY

- HB 48 – Posted in Committee (1/17/08) – Establishes an application process for receiving data from the electronic system for monitoring controlled substances and prohibits the process from requiring personal identifying data
- HB 762 – Posted in Committee (3/7/08) – Amends the state's electronic prescription monitoring system by providing for the establishment of a supplemental database consisting of reports of positive drug screens

MAINE

- LD 2032 – Referred to Committee on Health and Human Services (12/21/08) – Provides for the transfer of \$150,000 from the General Fund for the purpose of administering a prescription drug monitoring program

MARYLAND

- HB 525 – Approved by the Governor (4/24/08) – Establishes an Advisory Council on Prescription Drug Monitoring
- SB 401 – Unfavorably Reported by Committee (2/25/08) – Establishes a real-time statewide electronic logbook to record transactions involving sales of methamphetamine precursors

MINNESOTA

- HF 4176 – First Reading (4/7/08) – Modifies the prescription electronic reporting system by 1) removing veterinarians who dispense prescriptions from the list of dispensers required to report prescription data 2) adding prescription number and address of the patient to the list of data that must be submitted
- SF 3761 – First Reading (3/17/08) - Modifies the prescription electronic reporting system by 1) removing veterinarians who dispense prescriptions from the list of dispensers required to report prescription data 2) adding prescription number and address of the patient to the list of data that must be submitted

MISSISSIPPI

- HB 845 – Dead in Committee (2/19/08) – Amends the state’s computerized program for tracking controlled substance prescriptions; brings the program into compliance with federal guidelines and HIPAA law
- HB 575 – Dead in Committee (2/19/08) – Requires the Mississippi Justice Information Center to implement and maintain records from real-time electronic logbooks of pharmacies to monitor the sale of methamphetamine precursors
- SB 2713 – Due from the Governor (4/21/08) – Authorizes and directs the implementation of a state controlled substance monitoring program

MISSOURI

- SB 732 – Referred to House Crime Prevention & Public Safety Committee (4/17/08) – Establishes a drug monitoring program in the Department of Public Health and Senior Services; requires the maintenance of electronic logs of transactions involving the sale of methamphetamine precursors
- HB 1619 – Public Hearing Scheduled in Senate (4/24/08) – Establishes a drug monitoring program in the Department of Health and Senior Services; requires those who sell pseudoephedrine products to keep an electronic log of each transaction involving sales of PSE
- HB 2033 – Referred to Special Committee on Healthcare Transformation (2/28/08) – Establishes the Drug Monitoring Act; requires those who sell pseudoephedrine products to keep an electronic log of each transaction
- SB 1063 – 2nd Reading; Referred to Senate Pensions, Veterans’ Affairs and General Laws Committee (2/4/08) – requires that logs of methamphetamine precursor purchases be kept in an electronic (not written) format.
- HB 1927 – Referred to Crime Prevention and Public Safety (4/10/08) – Authorizes the State Highway Patrol to develop and implement a real-time electronic logbook to monitor the sale of Schedule V substances containing pseudoephedrine
- HB 1889 – Referred to Crime Prevention and Public Safety Committee (2/21/08) – Requires the State Highway Patrol to provide all pharmacies in the state access to a real-time electronic logbook to enter sales of pseudoephedrine products
- HB 1592 – Referred to Crime Prevention and Public Safety (2/28/08) – Establishes the Drug Monitoring Act
- HB 1489 – Referred to Crime Prevention and Public Safety Committee (1/17/08) – Establishes the Drug Monitoring Act

NEW HAMPSHIRE

- HB 630 – Inexpedient to Legislate (1/23/08) – Establishes the electronic controlled drug prescription monitoring program

NEW JERSEY

- SB 1604 – ENACTED (1/4/08) – Establishes a Prescription Monitoring Program in the Division of Consumer Affairs
- AB 1934 – Introduced (1/28/08) – Requires electronic recording of purchases of over-the-counter drugs used to manufacture methamphetamine

NEW YORK

- AB 3056 – Referred to Codes (1/9/08) – Provides for the development of a tracking and reporting system in retail establishments to monitor the purchase of precursor medications and chemicals
- AB 2686 – Reference Changed to Health (2/6/08) – Establishes a controlled substances prescription tracking program
- SB 1308 – Referred to Health (1/9/08) – Establishes a controlled substances prescription tracking program
- SB 6946 – Referred to Finance (2/12/08) – Requires that sales of ephedrine, pseudoephedrine and phenylpropanolamine be kept electronically by retailers
- AB 9804 – Substituted by SB 6804 (3/31/08) – Appropriates \$400,000 for the administration of a controlled prescription drug monitoring program
- SB 6804 – Signed by the Governor (4/23/08) – Appropriates \$400,000 for the administration of a controlled prescription drug monitoring program

SOUTH CAROLINA

- SB 1043 - Referred to Committee on Medical Affairs (1/30/08) – Creates a statewide real-time electronic logbook for recording sales of ephedrine, pseudoephedrine and phenylpropanolamine
- SB 1031 – Referred to Committee on Medical Affairs (1/24/08) – Requires the establishment of an electronic log for recording sales of methamphetamine precursors

TENNESSEE

- HB 4122 – Held on Desk (3/24/08) – Adds employees of the Bureau of TennCare, who are actively engaged in analysis of controlled substances prescription information, to the list of those to whom prescription data may be disclosed
- SB 4166 – Engrossed & Ready for Submission to House (4/24/08) - Adds employees of the Bureau of TennCare, who are actively engaged in analysis of controlled substances prescription information, to the list of those to whom prescription data may be disclosed
- HB 3566 – Referred to Government Committee (1/28/08) – Provides that the controlled substance database advisory committee will terminate on June 30th, 2012
- SB 2474 – Referred to Government Operations Committee (1/10/08) - Provides that the controlled substance database advisory committee will terminate on June 30th, 2012
- HB 436 – Taken Off Notice for Calendar (4/9/08) – Requires the Bureau of Investigation to maintain a real-time statewide electronic purchase log of methamphetamine precursor sales
- SB 298 – Senate Reset on Calendar (4/25/08) - Requires the Bureau of Investigation to maintain a real-time statewide electronic purchase log of methamphetamine precursor sales

UTAH

- HB 119 – Governor Signed (3/18/08) – Proposes amendments to the state’s prescription monitoring statutes
- HB 267 – Enacting Clause Struck (3/5/08) – Requires that the Division of Occupational and Professional Licensing provide for the reporting of transactions involving methamphetamine precursors to the controlled substance database
- HB 3 – Governor Signed (3/20/08) – Appropriates \$650,000 for the Controlled Substance Database

VIRGINIA

- SB 397 – Assigned to Courts Committee (1/10/08) – Requires that sellers maintain electronic (not written) logbooks to record sales of methamphetamine precursors

WASHINGTON

- HB 1553 – Reintroduced (1/14/08) – Requires that the Department of Health establish and maintain a web-based interactive prescription monitoring program
- HB 1797 – Reintroduced (1/14/08) – Designates responsibilities to the workgroup for the pilot project to record retail transactions involving ephedrine, pseudoephedrine or phenylpropanolamine
- SB 5973 – Reintroduced (1/14/08) – Requires that the Department of Health establish and maintain a web-based interactive prescription monitoring program
- HB 2687 – Approved and Partially Vetoed (4/1/08) – Appropriates \$680,000 for the prescription monitoring program

WEST VIRGINIA

- SB 647 - Referred to Judiciary (2/12/08) – Gives sheriffs and their designees the right to view the information contained in the State Board of Pharmacy’s database
- SB 468 - Referred to Health & Human Resources (1/28/08) – Authorizes county sheriffs to have access to the State Board of Pharmacy database
- HB 4142 – Referred to Health and Human Resources (1/23/08) – Requires pain management physicians to conduct inquiries through the West Virginia Prescription Monitoring Database for all patients receiving Schedule II through Schedule IV controlled substances
- SB 306 – Referred to Health and Human Resources (1/23/08) – Allows certain authorized probation and parole officers to access controlled substance database information
- SCR 87 – Referred to Health and Human Resources (3/7/08) – Requests that the Legislative Oversight Commission on Health and Human Resources Accountability study allowing access to the State Board of Pharmacy controlled substances database by entities not currently granted access

WEST VIRGINIA (continued)

- HCR 74 – Referred to Health and Human Resources (3/5/08) – Requests that the Joint Committee on Government and Finance study the need for a comprehensive, collaborative entity made up of experts in prevention, treatment and intervention to plan and coordinate the state’s response to the problem of substance abuse

Alabama: HB 495 – Read Second Time in Senate (4/3/08) - Amends the reporting requirements and access provisions of the state’s Prescription Drug Monitoring Program

HB 495 seeks to amend the state’s Prescription Drug Monitoring Program. The bill exempts physicians who treat patients in hospital emergency departments from reporting their dispensation of controlled substances, provided the amount dispensed is adequate for 48 hours of treatment or less. This measure would additionally grant access to the information in the controlled substances database to the drug monitoring programs of any other states or territories if such programs are recognized by the Alliance for Prescription Drug Monitoring Programs.

Alaska: SB 196 – Passed Senate, Referred to House Finance Committee (2/27/08) – Establishes a controlled substance prescription database

SB 196 seeks to establish a controlled substance prescription database within the State Board of Pharmacy. The purpose of the program is to contain data on every prescription for a Schedule IA, IIA, IIIA, IVA or VA controlled substance under state law as well as any Schedule I-V controlled substance under federal law dispensed in the state. The following information for each prescription dispensed must be included in the database: the name of the prescribing practitioner and the practitioner’s DEA registration number, the date of the prescription, the date the prescription was filled and the method of payment, the name/address/date of birth of the person for whom the prescription was written, the name and national drug code of the controlled substance, the quantity and strength of the controlled substance dispensed, the name of the drug outlet dispensing the controlled substance and the name of the pharmacist or practitioner dispensing the controlled substance. The database will facilitate the identification of 1) prescribing practices and patterns 2) practitioners who prescribe controlled substances in an unprofessional or unlawful manner 3) individuals who receive prescriptions for controlled substances from licensed practitioners and who subsequently obtain dispensed controlled substances from a drug outlet in quantities or with frequency inconsistent with generally recognized standards of dosage for that controlled substance 4) individuals who present forged or otherwise false or altered prescriptions for controlled substances to a pharmacy. Information contained in the database is confidential and not subject to public disclosure. The board of pharmacy may allow access to personnel of the board for inquiries about licensees and registrants, board personnel or contractors for operational review purposes, a licensed practitioner, a licensed or registered pharmacist, law enforcement authorities and an individual who is the recipient of a controlled substance.

Georgia: HB 455 – Passed House, Read and Referred in Senate (2/27/08) – Enacts the Prescription Monitoring Act

HB 455 seeks to enact the Georgia Prescription Monitoring Program Act, intended to improve the state's ability to identify and stop diversion of prescription drugs in a way that does not impede the legitimate medical use of controlled substances. The program would cover Schedule II, III and IV controlled substances. Under the program, controlled substance dispensers will be required to electronically submit information regarding each dispensed prescription, including but not limited to their U.S. DEA permit number or approved dispenser facility identification number, date the prescription was filled, prescription number, whether the prescription is new or a refill, the National Drug Code for the drug dispensed, the quantity dispensed, the number of days supply of the drug, patient's name, patient's address, patient's date of birth, prescriber identification number, date the prescription was issued and other data elements consistent with standards established by the American Society for Automation in Pharmacy. Submitted information will be confidential and available only under a limited set of enumerated circumstances to certain authorized persons or entities. The board may provide collected data to persons authorized to prescribe or dispense controlled substances, to the person the information concerns, the State Board of Medical Examiners, law enforcement authorities, upon court order and to agency personnel for administration and enforcement of this law. **HB 455** further establishes a Prescription Monitoring Program Advisory Committee for purposes of consulting with and advising the board on issues related to establishment, maintenance and operation of the prescription monitoring program.

Georgia: SR 1093 – Passed & Adopted (4/2/08) – Creates a study committee for the creation of a “MethCheck” database

SR 1093 resolves to create a Senate Study Committee for the creation of the Georgia MethCheck Data Base, to be comprised of five members of the Senate to be appointed by the President of the Senate. The committee is specifically tasked with considering the need for a MethCheck Data Base, the possible operation of the Data Base and the types of information that shall be stored in the Data Base. The resolution cites abuse and illicit manufacture of methamphetamine, the lack of an electronic logbook to record precursor sales and other states' legislative activity in this arena as reasons for establishing the Data Base.

Hawaii: SB 2373 – Reported from Conference Committee (4/24/08) – Requires pharmacies and retailers to maintain an electronic log of sales of pseudoephedrine and related products and transmit that information to the Department of Public Safety Narcotics Enforcement Division

SB 2373 requires pharmacies and retailers to record the following information pertaining to sales of pseudoephedrine precursors in electronic logs: the date of any transaction, the name/address/date of birth of the person, the type of identification provided by the individual obtaining the substance, the agency issuing the identification that was used and the name of the compound/mixture/preparation and the amount. Pharmacies and retailers must record the information on an electronic worksheet using software provided by the narcotics enforcement division and must mail the worksheet records to the division once a month. Information must be maintained for a period of two years and the log must be capable of being checked for compliance against all state and federal laws to ensure comprehensive compliance.

Idaho: HB 389 – Governor Signed (3/17/08) – Amends provisions related to whom prescription database information is available

HB 389 adds prosecuting attorneys, deputy prosecuting attorneys and special prosecutors of a county or city and special assistant attorneys general from the office of the attorney general engaged in enforcing law regulating controlled substances to the list of individuals who may access prescription database information.

Kansas: SB 491 – Approved by Governor (4/21/08) – Enacts the Prescription Monitoring Act

SB 491 seeks to enact the Prescription Monitoring Program Act to monitor all Schedule II, III and IV controlled substances dispensed in the state or to an address in the state. For each prescription, dispensers must submit the following information: dispenser identification number, date the prescription was filled, the prescription number, whether the prescription is new or a refill, the national drug code for the drug dispensed, the quantity dispensed, the number of days supply of the drug, the patient's identification number, the patient's name, the patient's address, the patient's date of birth, the prescriber identification number, the date the prescription was issued by the prescriber and the source of the payment for the prescription. The information contained in the database is confidential and not subject to the state open records act. The board of pharmacy is authorized to provide data to the following: persons authorized to prescribe or dispense scheduled substances, an individual who requests his/her own information; designated representatives from professional licensing/certification/regulatory agencies, law enforcement authorities, designated representatives from the Kansas health policy authority, persons authorized by subpoena, personnel from the prescription monitoring program advisory committee and personnel of the board. **SB 491** further creates a prescription monitoring program advisory committee and a methamphetamine precursor

Kansas (continued)

scheduling task force. The precursor task force shall study the possibility and practicability of making methamphetamine precursors Schedule III or IV drugs. The bill also creates a veterinary prescription monitoring task force, which shall study and determine whether to require veterinarians to report to the prescription monitoring program.

Maryland: HB 525 – Approved by the Governor (4/24/08) – Establishes an Advisory Council on Prescription Drug Monitoring

HB 525 establishes an Advisory Council on Prescription Drug Monitoring in the Department of Health and Mental Hygiene. The Council is tasked with making recommendations that assist in the identification/treatment/prevention of prescription drug abuse, the identification and investigation of unlawful prescription drug diversion, promoting the balanced use of prescription drug monitoring data to assist law enforcement activities, and promoting appropriate and real-time access to prescription drug monitoring data by dispensers and prescribers. The Council must identify the drugs to be monitored, identify the types of dispensers that must report data, determine the data that must be submitted, determine the process for submitting the data, specify recipients authorized to receive data, identify the circumstances under which data are provided to a recipient, identify the circumstances under which an authorized representative may disclose data, determine how to ensure the information is kept confidential, define the process for interpreting data, determine the most efficient operation of a monitoring program, determine the cost and sources of funds for operating the program, determine whether establishment and operation of a program is feasible without additional cost to dispensers and recipients, determine a timeline for establishing and implementing a program, identify the types of education and training needed to implement a program, determine the need for immunity from liability and determine the need for penalties associated with violations of the program's requirements.

Mississippi: SB 2713 – Due from the Governor (4/21/08) – Authorizes and directs the implementation of a state controlled substance monitoring program

SB 2173 directs the development and implementation of a computerized program to track prescriptions for controlled substances and to report suspected abuse and misuse of controlled substances. Prescriptions tracked include those for all Schedule II, III, IV and V controlled substances dispensed to residents in the state by licensed pharmacies, nonresident pharmacies, institutions, dispensing practitioners and veterinary dispensers. The program will provide information regarding the potential inappropriate use of controlled substances to practitioners, pharmacists and appropriate state agencies for purposes of preventing the inappropriate or illegal use of such controlled substances. The collected data will be confidential and not subject to the federal Freedom of Information Act or the state's open records act.

New Jersey: SB 1604 – ENACTED (1/4/08) – Establishes a Prescription Monitoring Program in the Division of Consumer Affairs

SB 1604 establishes a prescription monitoring program in the Division of Consumer Affairs, consisting of an electronic system for monitoring controlled dangerous substances dispensed in or into the State by pharmacists in an outpatient setting. At specified intervals, each pharmacist must submit by electronic means information about each dispensed controlled substance prescription. Submissions must include the first name, last name and date of birth of the patient for whom the medication is intended, the patient's street address and telephone number, the date that the medication is dispensed, the number or designation identifying the prescription and National Drug Code of the medication, the pharmacy permit number of the dispensing pharmacy, the prescribing practitioner's name and DEA registration number, the name/strength/quantity of the medication, the number of refills ordered, whether the drug was dispensed as a refill or a new prescription, the date the prescription was issued by a practitioner and other information deemed necessary. The Division of Consumer Affairs must maintain procedures to ensure the privacy and confidentiality of patients and collected patient information. Collected information may be provided to the following entities: practitioners authorized to prescribe controlled dangerous substances, pharmacists authorized to dispense controlled dangerous substances, representatives from designated state boards, law enforcement officers, Medicaid or other program representatives, grand juries, authorized division personnel and the controlled substances monitoring program in another state with which the division has established an interoperability agreement.

Missouri: SB 732 – Referred to House Crime Prevention & Public Safety Committee (4/17/08) – Establishes a drug monitoring program in the Department of Public Health and Senior Services; requires the maintenance of electronic logs of transactions involving the sale of methamphetamine precursors AND HB 1619 – Public Hearing Scheduled in Senate (4/24/08) – Establishes a drug monitoring program in the Department of Health and Senior Services; requires those who sell pseudoephedrine products to keep an electronic log of each transaction involving sales of PSE

SB 732 AND HB 1619 direct the Department of Health and Senior Services to establish and maintain a program for the monitoring of prescribing and dispensing of all schedule II-V controlled substances (with the exception of schedule V substances containing any detectable amount of pseudoephedrine that do not require a prescription). Each controlled substance dispenser must submit the following data for each prescription dispensed: the dispenser's U.S. DEA registration number, the date the drug is dispensed or the prescription is filled, the prescription number, whether the prescription is new or a refill, the NDC code for the drug dispensed, the number of days supply of the drug, the quantity dispensed, the patient's name/address/date of birth, the prescriber's U.S. DEA registration number, the date the prescription was issued by the prescriber and the source of payment for the drug. Submitted information is confidential and not subject to public disclosure. The Department may provide collected data to persons authorized to prescribe or dispense controlled substances for purposes of

© 2008 Research is current as of April 25th, 2008. In order to ensure that the information contained herein is as current as possible, research is conducted using both nationwide legal database software and individual state legislative websites. Please contact Sarah Kelsey at (703) 836-6100, ext. 119 or skelsey@namsdl.org with any additional updates or information that may be relevant to this document. This document is intended for educational purposes only and does not constitute legal advice or opinion. Headquarters Office: THE NATIONAL ALLIANCE FOR MODEL STATE DRUG LAWS. 1414 Prince Street, Suite 312, Alexandria, VA 22314. (703) 836-6100.

Missouri (continued)

providing patient care, individuals requesting their own data, the state board of pharmacy, any state board charged with regulating a profession that has prescribing authority, law enforcement entities, the department of social services regarding HealthNet participants, a judge under court order, Department of Health and Senior Services personnel and the Department of Mental Health regarding program recipients receiving services. **S.B. 732 AND HB 1619** further require sellers of methamphetamine precursors to maintain electronic logs of each transaction involving a precursor. The log shall include the name/address/signature of the purchaser, the name and amount of the product sold, the date and time of each purchase and the name or initials of the person selling the product.

Utah: **HB 119 – Governor Signed (3/18/08) – Proposes amendments to the state’s prescription monitoring statutes**

HB 119 provides for education of the public regarding the purpose of the Controlled Substance Database and the requirement that a person’s name and prescription information be recorded in the database when that person fills a prescription for a Schedule II through V controlled substance.

HB 119 adds state and local prosecutors to the list of persons who can access the controlled substances database.

HB 119 seeks to establish a pilot program for real-time reporting of data to, and access to, the controlled substance database by a pharmacy, pharmaceutical facility or a prescribing practitioner.