Prescription Monitoring Program State Profiles – Wyoming

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WYOMING

http://pharmacyboard.state.wy.us/pdmp.aspx
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- Status of Program – operational
- Housing Entity – Board of Pharmacy
- Advisory Commission – no
- Funding – not specified in PMP statutes or regulations
- Drugs Monitored – Schedules II – IV and non-controlled, non-scheduled substances
- Who's Required to Report Dispensing Information – all retail pharmacies
- Exemptions from Reporting – drugs dispensed to hospital inpatients or patients in correctional institutions or nursing facilities
- Nonresident Pharmacies Required to Report – yes
- Veterinarians Required to Report – no
- Data Collection Interval – weekly/7 days
- Notice to Consumers – no
- Interstate Sharing – with authorized users in other states
- Persons Authorized to Receive Information – law enforcement officials; licensing/regulatory boards; patient or parent of minor child; health care agent; third party with signed consent form; prescribers; dispensers
- Delegates Allowed – no
- De-identified Data Provided – yes
- Unsolicited Reports – to prescribers, pharmacists, law enforcement, and licensing boards
- Training Required – no
- Mandatory Enrollment – no
- Mandatory Access – no

West's Wyoming Statutes Annotated (2014)
Title 35. Public Health and Safety (Refs & Annos)
Chapter 7. Food and Drugs
Article 10. Controlled Substances (Refs & Annos)
Article X

§ 35-7-1060. Controlled substances prescription tracking program

(a) In addition to other duties and responsibilities as provided by this act, the board shall maintain a computerized program to track prescriptions for controlled substances for the purposes of assisting patients, practitioners and pharmacists to avoid inappropriate use of controlled substances and of assisting with the identification of illegal activity related to the dispensing of controlled substances. The tracking program and any data created thereby shall be administered by the board, and the board may charge reasonable fees to help defray the costs of operating the program. Any fee shall be included with and in addition to other registration fees established by the board as authorized in W.S. 35-7-1023.

(b) All prescriptions for schedule II, III and IV controlled substances dispensed by any retail pharmacy licensed by the board shall be filed with the board electronically or by other means required by the board no more than seven (7) days after dispensed. The board may require the filing of other prescriptions and may specify the manner in which the prescriptions are filed.

(c) The tracking program shall not be used to infringe on the legal use of a controlled substance. Information obtained through the controlled substance prescription tracking program is confidential and may not be released and is not admissible in any judicial or administrative proceeding, except as follows:

(i) The board may release information to practitioners and pharmacists when the release of the information may be of assistance in preventing or avoiding inappropriate use of controlled substances;

(ii) The board shall report any information that it reasonably suspects may relate to fraudulent or illegal activity to the appropriate law enforcement agency and the relevant occupational licensing board;

(iii) The board may release information to the patient to whom the information pertains or his agent or, if the patient is a minor, to his parents or guardian;

(iv) The board may release information to a third party if the patient has signed a consent specifically for the release of his controlled substance prescription information to the specific third party;

(v) The board may release information that does not identify individual patients, practitioners, pharmacists or pharmacies, for educational, research or public information purposes; and

(vi) Subject to the rules of evidence, information obtained from the program is admissible in a criminal proceeding or an administrative proceeding involving professional licensing.

(d) Unless there is shown malice, gross negligence, recklessness or willful and wanton conduct in disclosing information collected under this act, the board, any other state agency and any other person or entity in proper possession of information as provided by this section shall not be subject to any civil or criminal liability or action for legal or equitable relief.

(e) The board may apply for and accept any gifts, grants or donations to assist in developing and maintaining the program required by this section.

West's Wyoming Statutes Annotated (2014)
Title 35. Public Health and Safety
Chapter 7. Food and Drugs
Article 10. Controlled Substances
Article X

§ 35-7-1061. Pilot program for real-time database data access

(a) There is established a pilot program for real-time access to data from the controlled substance prescription tracking program, established by W.S. 35-7-1060, beginning July 1, 2010 and ending June 30, 2012.

(b) In addition to fulfilling the requirements of W.S. 35-7-1060 on a statewide basis, the board shall upgrade, modify, administer and direct the functioning of the controlled substance prescription tracking program in geographical areas specified by the board, or on a statewide basis, in a manner that provides real-time access to the program. The pilot program also shall:

(i) Allow authorized persons to access the program, portions of the program or certain reports generated by the program from remote locations at any time;

(ii) Create a means of verifying the identity of persons seeking access to the program;

(iii) Develop programs to educate persons who are authorized to access the program about the pilot project and the methods by which the pilot program can be used to better avoid the inappropriate use of controlled substances and the identification of illegal activity related to the dispensing of controlled substances;

(iv) Develop means of sharing relevant prescription drug information with other states who maintain prescription drug monitoring programs using the prescription monitoring information exchange specifications adopted by the United States department of justice;

(v) Ensure the confidentially of all information disclosed;

(vi) Ensure that the real-time access developed and allowed by the pilot program does not interfere with the proper functioning of the existing controlled substance prescription tracking program.

(c) The requirements and obligations imposed by W.S. 35-7-1060 shall be applicable to the pilot program administered under this section to the extent they do not conflict with the requirements and obligations of this section.

(d) All persons to whom W.S. 35-7-1060 applies shall cooperate with the board to provide weekly submission of, and real-time access to, information for the pilot program:

(i) Within the pilot area as determined by the board under subsection (b) of this section;

(ii) When the board implements the pilot program as a permanent program under subsection (g) of this section, on a statewide basis.

(e) The board may promulgate rules and regulations as are necessary to create and operate the pilot program required by this section.

(f) Each year starting in 2010 and ending in 2012, on or before June 30, the board shall report to the joint labor, health and social services interim committee regarding:

(i) The implementation, operation and impact of the pilot program established in this section;

(ii) The progress made by the board in implementing the pilot program on a statewide basis;

(iii) The advisability of, and projected cost of, implementing the pilot program on a statewide basis;

(iv) Any education sessions offered to the public regarding the pilot project and participation at those educational sessions;

(v) Use of the pilot program by those persons entitled to receive information from the program; and

(vi) Other information which the board believes is relevant.

(g) The board shall, on or before July 1, 2012, implement the pilot program as a permanent program on a statewide basis.

(h) The board shall submit an application to the United States department of justice and department of health and human services for all available grant monies to fund the pilot project required by this section.

(j) To the extent federal funds are available to fund the pilot project required by this section, the board may expend any monies appropriated by the legislature in any minimum amount as may be necessary to qualify to receive the federal funds. After all federal funds are exhausted, the board is authorized to use any remaining state funds consistent with all limitations imposed on funds in their appropriation.

Wyoming Rules and Regulations (2014)
Department of Administration and Information
Board of Pharmacy - Commissioner of Drugs and Substances Control
Chapter 8. Prescription Drug Monitoring Program

Section 2. Transmission of Information Regarding Dispensing of Controlled Substances to Certain Persons.

(a) Each resident/nonresident retail pharmacy that dispenses a controlled substance that is listed in Schedule II, III or IV to a person in this state who is not an inpatient of a hospital, correctional institution or nursing facility, shall transmit to the board or its agent the required information. If the retail pharmacy does not dispense more than 25 controlled substance prescriptions per month to patients residing in this state, the retail pharmacy may request a waiver from the board. The information relating to the following field names shall be transmitted:

(i) Dispenser identification number;

(ii) Patient date of birth;

(iii) Patient gender;

(iv) Date prescription was filled;

(v) Prescription number;

(vi) Prescription is new or is a refill;

(vii) Quantity dispensed;

(viii) Date Prescription issued by prescriber;

(ix) Days supply dispensed;

(x) NDC code number for drug dispensed;

(xi) Prescriber identification number;

(xii) Patient last name;

(xiii) Patient first name;

(xiv) Patient street address;

(xv) Patient zip code.

(b) The resident/nonresident retail pharmacy shall ensure that, not later than seven (7) days after the prescription was dispensed, the information required pursuant to this chapter is transmitted to the board or its agent by one of the following methods:

(i) Computer modem that can transmit information at the rate of 2400 baud or more;

(ii) Computer disk;

(iii) Cassette containing magnetic tape, which is 1/4 of an inch wide and is used to transmit information between computerized systems;

(iv) Paper printout.

Wyoming Rules and Regulations (2014)
Department of Administration and Information
Board of Pharmacy - Commissioner of Drugs and Substances Control
Chapter 8. Prescription Drug Monitoring Program

Section 3. Solicited Patient Profiles.

(a) Occupational licensing boards may request licensee profiles from the board provided the following are met:

(i) All requests must be on a form provided by the board and include the name and license number of the licensee;

(ii) The purpose of the request, the date range requested, and the specific reasons for this request;

(iii) The signature of the authorized agent and mailing address for the occupational licensing board;

(iv) The request shall be mailed or faxed to the board's office; and

(v) No licensee profile will be generated by the board until the request is received, and no licensee profile will be sent to an occupational licensing board unless those requirements identified in W.S. § 35-7-1060 (c)(ii) have been met. All profiles generated by the board will be mailed to the occupational licensing board, and marked "confidential, to be opened by addressee only".

(vi) A lengthy profile may be converted to a spreadsheet and provided electronically to a regulatory board.

(b) Pharmacists and practitioners are under no obligation to, but may request patient profiles from the board provided the following conditions are met:

(i) All requests must be submitted on a form provided by the board and must be mailed, faxed, or by using the online process to the board's office;

(ii) All requests must be signed with a manual or electronic signature by the pharmacist or practitioner requesting the information and include the business name/address of the pharmacist or practitioner;

(iii) All requests shall include the patient's name, date of birth, purpose of the request, and the date range for the profile;

(iv) A statement indicating a pharmacist/patient or practitioner/patient relationship exists; and

(v) All profiles generated by the board shall be faxed or mailed to the pharmacist or practitioner at their business address, and if mailed marked "confidential, to be opened by addressee only"; or the profile shall be generated using the online process to be reviewed or printed by the requestor.

(c) Patients, their authorized agent, or in the case of a minor, the minor's parent or guardian may request a copy of the patient's profile from the board's office provided the following are met:

(i) All requests shall be made in person at the board's office. The patient requesting the profile or an authorized agent of the patient or parent's or guardians of minors requesting a profile must have proof of identification acceptable to the board;

(ii) Any person making a request for a profile shall complete a form provided by the board. Any profile generated by the board will be available at the board's office, the same day of the request.

(d) Other entities as authorized in W.S.§ 35-7-1059 may request a copy of the patient's profile from the board's office provided the following are met:

(i) All requests must be submitted on a form provided by the board and must be mailed or faxed to the board's office:

(ii) All requests must be signed by the requestor and include the business name and address of the requestor.

(iii) The purpose of the request, the date range requested, and the specific reasons for this request including investigation number, if applicable, must be included.

(iv) The requirements identified in W.S.§ 35-7-1060 (c)(ii) must be met before the patient's profile is provided to the requestor or a copy of the patient's signed consent specifically stating permission for the requestor to access and review the profile must be provided by the requestor.

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Section 4. Unsolicited Patient Profiles

The board may generate patient profiles based on information showing use of controlled substances, which is in excess of established parameters. Profiles generated will be mailed to each pharmacy and practitioner where the patient was seen. A letter of explanation will accompany each profile.

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Section 6. Statistical Profiles

The board may generate statistical profiles upon request, provided no patient/practitioner/pharmacy specific information is included. The board shall charge a fee of $25.00 per profile generated for any government agency and $500.00 per profile for all others.

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Section 7. Reporting of Non-Controlled Prescription Drugs.

Resident and nonresident retail pharmacies shall ensure that, not later than 7 days after the prescription was dispensed, the information required pursuant to this chapter is transmitted to the board or its agent for the following prescription drugs:

(a) Tramadol, including any combination product where tramadol is an active ingredient.

(b) Carisprodol, including any combination product where carisprodol is an active ingredient.