Bill Summary Comparison of

Health and Human Services

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| Senate File: 3656-2 | House File 3138-3 |
| Article 26: Prescription Monitoring Program | Senate-only Article |

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| Article 26: Prescription Monitoring Program |  | N/A — Senate-only Article |
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| **Section 1 (151.065, subdivision 7)** specifies that fees collected under this section by the Board of Pharmacy shall be deposited into the special government special revenue fund. |  |  |
| **Section 2 (152.126, subdivision 6)** **Paragraph (d)** requires, beginning January 1, 2020, prescribers to access the data of the prescription monitoring program (PMP) to the extent the data relates to the patient before prescribing an initial prescription for a Schedule II through IV opiate controlled substance to the patient, and at least once every three months if the patient is receiving an opiate for treatment of chronic pain or participating in medically assisted treatment for opioid addiction.  **Paragraph (e)** states that paragraph (d) does not apply if: (1) the patient is receiving hospice care; (2) the patient is being treated for pain due to cancer or the treatment of cancer; (3) the prescription is for a number of doses that is intended to last the patient five days or less, and is not subject to a refill; (4) the prescriber and patient have an ongoing doctor/patient relationship or a duration of longer than a year; (5) the prescription is issued within 14 days following surgery or three days following oral surgery; (6) the control substance is prescribed or administered to a patient who is admitted to an inpatient hospital; (7) the controlled substance is lawfully administered by injection, ingestion, or other means to the patient by the prescriber, pharmacist, or the patient at the direction of the prescriber and in the presence of the pharmacist or prescriber; (8) it is not possible for the prescriber to review the data due to an emergency; or (9) the prescriber is unable to access data due to operational or other technological failure of the PMP, if the failure is reported to the board. |  |  |
| **Section 3 (152.126, subdivision 10)** authorizes the Board of Pharmacy to modify its contract with its vendor for the PMP to allow the vendor to provide a service to prescribers and pharmacies that allows them to access the PMP data from within the electronic health records system or pharmacy software used by those prescribers or pharmacies.  It also authorizes the board to collect an annual fee from each prescriber or pharmacist who accesses the PMP through the service offered by the vendor, not to exceed $50 per user.  This fee is to be deposited in the special government special revenue fund and is appropriated to the board. |  |  |