HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1652 **DATE:** March 16, 2015
Version: As introduced

Authors: Baker and others

Subject: Prescription Monitoring Program

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Overview

This bill provides for expanded use of prescription monitoring program data, requires prescribers and pharmacists to register and maintain a user account with the program, and makes other changes related to the prescription monitoring program.

Section

1 **Definitions.** Amends § 152.126, subd. 1. Adds gabapentin and removes tramadol from the list of controlled substances and other drugs subject to the prescription monitoring program.

2 **Prescription monitoring program advisory task force.** Amends § 152.126, subd. 3. Provides that the advisory task force shall not expire, notwithstanding any other law to the contrary.

3 **Use of data by board.** Amends § 152.126, subd. 5. Removes language prohibiting personnel of a state or federal occupational licensing board or agency from accessing the prescription monitoring program data base to substantiate a disciplinary action against a prescriber. Eliminates the requirement that data retained beyond 24 months be de-identified.

4 **Access to reporting system data.** Amends § 152.126, subd. 6. Makes the following changes related to permissible users of the data base:

- removes the restriction that prescribers obtain patient consent for accessing the submitted data, and eliminates language specifically referring to emergency medical treatment

Section

- eliminates the requirement that licensed pharmacists providing pharmaceutical care access the data only for current patients who have provided consent, and allows access when consulted by a prescriber

- allows personnel or designees of a health-related licensing board access to investigate complaints that a specific licensee has sold or possessed certain controlled substances or has improperly obtained controlled substances (under current law, this provision restricts use to investigations of licensees of the board of pharmacy)

- allows personnel or designees of a health-related licensing board access to investigates complaints that a licensee in inappropriately prescribing controlled substances

The section also requires, by April 1, 2016, every prescriber practicing in the state who is authorized to prescribe controlled substances and holds a current FDA registration, and every pharmacist licensed by the board and practicing in the state, to register and maintain a user account with the prescription monitoring program. Classifies data submitted during the registration application process, other than name, license number, and license type, as private data.

5 **Repealer.** Repeals Laws 2014, chapter 286, article 7, section 4 (the repealed section provides that the prescription electronic reporting advisory committee expires June 30, 2018).