

HCS HB 1619 -- DRUG MONITORING ACT (Jones, 117)

COMMITTEE OF ORIGIN: Committee on Crime Prevention and Public Safety

This substitute establishes the Drug Monitoring Act in the Department of Health and Senior Services and changes the laws regarding drugs and controlled substances. In its main provisions, the substitute:

- (1) Revises the current list of controlled substances;
- (2) Requires the department to develop a program, subject to appropriations, to monitor the prescribing and dispensing of all Schedule II through Schedule V controlled substances by all licensed professionals who prescribe or dispense these substances in Missouri;
- (3) Requires the dispenser to electronically submit to the department information for each prescription and specifies the frequency of the submissions;
- (4) Allows the department to issue a waiver to a dispenser who is unable to submit the required information electronically. If a waiver is obtained, a dispenser can submit the required information in paper format or by other approved means;
- (5) Requires all submitted prescription information to be confidential. Exceptions to this requirement include violations of the law or breaches of professional standards which result in an investigation and the submission or the release of prescription information to authorized persons;
- (6) Specifies that any employee of a contractor who knowingly discloses drug monitoring information other than as provided by the provisions of the substitute or who uses the information in a manner and for a purpose that is in violation of the provisions of the substitute will be guilty of a class D felony;
- (7) Authorizes the release of non-personal, general information for statistical, educational, or research purposes;
- (8) Authorizes the department to contract with other state agencies or private vendors to implement the provisions of the substitute and requires the department to develop an educational course, when appropriate, to work with associations for impaired professionals to ensure the intervention, treatment, and ongoing monitoring of patients who have been identified as addicted to substances monitored by the substitute; and

(9) Requires a person selling pseudoephedrine products to keep an electronic log of each transaction and specifies what information must be recorded in the transaction log.

The substitute becomes effective January 1, 2009. The provisions of the substitute regarding the Drug Monitoring Act will expire six years from the effective date.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$1,140,315 in FY 2009, \$692,636 in FY 2010, and \$699,042 in FY 2011. No impact on Other State Funds in FY 2009, FY 2010, and FY 2011.