

HCS SS SCS SB 85 -- MONITORING OF DRUGS

SPONSOR: Champion (Dixon)

COMMITTEE ACTION: Voted "do pass" by the Committee on Health Care Policy by a vote of 8 to 0.

This substitute 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 of Health and Senior Services to develop a program, subject to appropriation, 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. The dispenser is required to electronically submit to the department information for each prescription and the frequency of the submissions is specified. The department is allowed 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. All submitted prescription information is 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. The release of non-personal, general information is authorized for statistical educational, and research purposes;
- (3) Authorizes the department to contract with other state agencies or private vendors to implement the provisions of the Drug Monitoring Act and requires the department to develop an educational course about the act and, 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 act; and
- (4) Requires a person selling pseudoephedrine products to keep a written or electronic log of each transaction and specifies what information must be recorded in the transaction log.

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 \$762,646 in FY 2008, \$333,825 in FY 2009, and \$336,666 in FY 2010. No impact on Other State Funds in FY 2008, FY 2009, and FY 2010.

PROPONENTS: Supporters say that the bill makes state law consistent with federal regulations, and it is important to continue efforts to restrict methamphetamine production. Electronic monitoring will prevent the sale of products used to make methamphetamine. The intent is not to make doctors more accountable, and there is no penalty for drugs used on an as-needed basis. The bill also eliminates law enforcement officials from going from one pharmacy to another to investigate leads.

Testifying for the bill were Senator Champion; and State Highway Patrol.

OPPONENTS: There was no opposition voiced to the committee.