

## HB 1489 -- Controlled Substances

Sponsor: Donnelly

This bill establishes the Drug Monitoring Act in the Department of Health and Senior Services. In its main provisions, the bill:

(1) 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;

(2) Requires the dispenser to electronically submit to the department information for each prescription and specifies the frequency of the submissions;

(3) 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;

(4) 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;

(5) Authorizes the release of non-personal, general information for statistical, educational, and research purposes;

(6) Authorizes the department to contract with other state agencies or private vendors to implement the bill;

(7) Specifies that dispensers and authorized persons who violate provisions of the bill will be guilty of a class A misdemeanor; and

(8) Requires the department to develop an educational course about the bill 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 being addicted to substances monitored by the bill.

The bill also adds depressants to the list of Schedule V controlled substances and allows the sale of packages of less than 60 milligrams of pseudoephedrine without limitations. The bill prohibits the selling, dispensing, purchasing, or receiving of ephedrine, phenylpropanolamine, or pseudoephedrine by mail order or from a mobile retail vendor in any amount greater than

7.5 grams within any 30-day period or 3.6 grams within a 24-hour period.

The bill becomes effective January 1, 2009.

The provisions regarding the new program will expire six years from the effective date.