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**Ways & Means Committee**

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**HB 2142**

**Brief Description:** Modifying provisions of the prescription monitoring program.

**Sponsors:** Representatives Cody and Hunter; by request of Department of Health.

**Brief Summary of Bill**

- Authorizes the Department of Health to charge a fee to specified health care providers to support the operation of the prescription drug monitoring program.

**Hearing Date:** 12/8/11

**Staff:** Amy Skei (786-7109).

**Background:**

Controlled substances are categorized into five types according to their potential for abuse, the extent of currently accepted medical use in the United States, and the potential that use of the drug may lead to physical or psychological dependence. Schedule I drugs are those drugs with a high potential for abuse, no currently accepted medical use in treatment, and a lack of accepted safety for use in treatment under medical supervision. At the other end of the spectrum are Schedule V drugs, which are those drugs with a low potential for abuse relative to the other categories, a currently accepted medical use in treatment, and a likelihood that abuse may lead to only limited physical or psychological dependence relative to the other categories.

In 2007 legislation was enacted to require the Department of Health (Department) to implement a prescription drug monitoring program to monitor the prescribing and dispensing of all schedule II through V controlled substances. Under the program dispensers must electronically report information to the Department about each prescription dispensed for a schedule II-V controlled substance. Implementation of the program is dependent upon the availability of federal funds. The Department is prohibited from supporting the program with fees or taxes charged to health care practitioners or pharmacists.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:**

The prohibition on funding the prescription drug monitoring program with fees or taxes charged to health care practitioners or pharmacists is removed. In addition to federal grants, the Department of Health (Department) may accept private grants to support the operation of the program. If federal and private funds are not adequate to maintain the program, the Department may increase license fees for specified providers to fund the program. Those providers that would pay the increased licensure fee include: physicians, physician assistants, osteopathic physicians, osteopathic physicians' assistants, naturopaths, podiatrists, optometrists, dentists, advanced registered nurse practitioners, and pharmacists. The additional fee amount may not exceed \$15.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.