

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of Senate Bill No. 339

TO AMEND THE PRESCRIPTION DRUG MONITORING PROGRAM TO MANDATE PRESCRIBERS
CHECK THE PRESCRIPTION DRUG MONITORING PROGRAM WHEN PRESCRIBING CERTAIN
MEDICATIONS.

Amendment No. 2 to Senate Bill No. 339

Amend Senate Bill No. 339 as engrossed, S2/20/17 (version: 02/20/2017 9:28:55 AM):

Page 2, delete line 3, and substitute the following:

"described in subdivision (d)(2) of this section.

(C) This subdivision (d)(2) does not apply to:

(i) A practitioner administering a controlled
substance:

(a) Immediately before or during surgery;

(b) During recovery from a surgery while in a
healthcare facility;

(c) In a healthcare facility; or

(d) Necessary to treat a patient in an
emergency situation at the scene of an emergency, in a licensed ground
ambulance or air ambulance, or in the intensive care unit of a licensed
hospital;

(ii) A practitioner prescribing or administering a
controlled substance to:

(a) A palliative care or hospice patient; or

(b) A resident in a licensed nursing home
facility; or

(iii) Situations in which the Prescription Drug
Monitoring Program is not accessible due to technological or electrical
failure.

(3) A licensed oncologist shall check the Prescription Drug
Monitoring Program when prescribing to a patient on an initial malignant
episodic diagnosis and every three (3) months following the diagnosis while
continuing treatment."

AND

Immediately after SECTION 1, add an additional section to read as follows:

"SECTION 2. Arkansas Code § 20-7-607(a)(1), concerning providing
prescription monitoring information to the Prescription Drug Monitoring



Program, is amended to read as follows:

(a)(1)(A)(i) The Department of Health ~~may~~ shall review the Prescription Drug Monitoring Program information, including without limitation a review to identify information that appears to indicate whether a person ~~may be~~ is obtaining prescriptions in a manner that may represent misuse or abuse of controlled substances based on prescribing criteria determined by the Director of the Department of Health upon consultation with the Prescription Drug Monitoring Program Advisory Committee.

(ii) The prescribing criteria shall be posted on the website of the department and be available in print upon request.

(B) If the information appears to indicate misuse or abuse may have occurred, the department shall notify the practitioners and dispensers who have prescribed or dispensed in the following manner:

(i) The department shall provide quarterly reports to the individual practitioners and dispensers as well as the Arkansas State Police; and

(ii) If after twelve (12) months of providing quarterly reports to the practitioners and dispensers, the information appears to indicate misuse or abuse may be continuing, the department shall send a report to the licensing boards of the practitioner or dispenser who prescribed or dispensed the prescription.

(C) If information of misuse or abuse is identified, the department shall notify the practitioners and dispensers who prescribed or dispensed the prescriptions and the Office of Diversion Control of the United States Drug Enforcement Administration.

(D) On or before January 1, 2019, the department shall contract with a vendor to make the Prescription Drug Monitoring Program interactive and to provide same-day reporting in real-time, if funding and technology are available."

AND

Appropriately renumber the remaining sections of the bill

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Hutchinson

JMB/JMB - 03-08-2017 09:33:30

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Secretary