



HB0085

Prescription tracking program rules.

Sponsored By: Representative(s) Wilson and Senator(s) Scott

AN ACT relating to controlled substances; providing rulemaking authority related to the controlled substance prescription tracking program; amending program requirements as specified; and providing for an effective date.

2/3/2020 Bill Number Assigned
2/7/2020 H Received for Introduction
2/11/2020 H Introduced and Referred to H10 - Labor 59-0-1-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen Lloyd, Laursen Dan, Lindholm, Loucks, Macguire, Miller, Newsome, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Excused: Representative Greear

Ayes 59 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/25/2020 H10 - Labor:Recommend Amend and Do Pass 6-3-0-0-0

ROLL CALL

Ayes: Representative(s) Dayton, Hallinan, Styvar, Sweeney, Wilson, Yin

Nays: Representative(s) Barlow, Clem, Roscoe

Ayes 6 **Nays** 3 **Excused** 0 **Absent** 0 **Conflicts** 0

2/25/2020 H Placed on General File

HB0085HS001/ADOPTED

Page 1-line 3 After "program;" insert "amending program requirements as specified;".

Page 1-line 8 After "35-7-1060(a)" insert ", (b) and by creating a new subsection (f)".

Page 2-line 13 Delete "practitionors" and insert "practitioners".

Page 2-after line 14 Insert:

"(b) Except as otherwise provided in this subsection, when a practitioner, other than a veterinarian, prescribes a schedule II, III, IV or V controlled substance, the practitioner or his delegate shall search the prescription tracking program for prior prescriptions issued to the patient before first issuing the prescription and as needed thereafter based on current best practice guidelines for the practitioner's licensed profession. shall repeat the search every three (3) months thereafter for as long as the controlled substance remains a part of the patient's treatment. A practitioner who prescribes a schedule V controlled substance shall only be required to search the program as otherwise provided in this subsection if the substance is an opioid. A dispenser, other than a veterinarian, shall electronically file with the board information regarding any prescription for a schedule II, III, IV or

V controlled substance dispensed by the dispenser no later than the close of business on the business day immediately following the day the controlled substance was dispensed. The board may grant a reasonable time extension to a dispenser or practitioner who is unable to electronically file or search information as required under this subsection. The board may require the filing of other prescriptions and may specify the manner in which the prescriptions are filed. The board may, by rule and regulation, provide exemptions from the requirements of this subsection including but not limited to exemptions for prescriptions dispensed in certain inpatient health care settings, for settings where the risk for diversion or misuse of medication is found by the board to be minimal and exemptions for emergencies and other situations as determined by the board in consultation with other professional licensing boards that license practitioners who are affected by the requirements of this subsection.

(f) The board may conduct a survey or audit of a practitioner's usage of the state computerized program to track prescriptions in relation to the practitioner's prescribing patterns. If the board finds low or inappropriate usage of the program the board shall report its findings to the practitioner's professional licensing board.". WILSON, CHAIRMAN

2/25/2020 H COW:Passed
2/26/2020 H 2nd Reading:Passed

HB0085H3001/ADOPTED (CORRECTED COPY)

Page 2-after line 14 Delete the House standing committee amendment (HB0085HS001/A) to this line and insert:

"(b) Except as otherwise provided in this subsection, when a practitioner, other than a veterinarian, prescribes a schedule II, III, IV or V controlled substance, the practitioner or his delegate shall search the prescription tracking program for prior prescriptions issued to the patient before first issuing the prescription and as needed thereafter based on current best practice guidelines for the practitioner's licensed profession, except for prescribed opioids for which the practitioner or his delegate shall repeat the search every three (3) months thereafter for as long as the ~~controlled substance prescribed~~ opioids remains a part of the patient's treatment. A practitioner who prescribes a schedule V controlled substance shall only be required to search the program as otherwise provided in this subsection if the substance is an opioid. A dispenser, other than a veterinarian, shall electronically file with the board information regarding any prescription for a schedule II, III, IV or V controlled substance dispensed by the dispenser no later than the close of business on the business day immediately following the day the controlled substance was dispensed. The board may grant a reasonable time extension to a dispenser or practitioner who is unable to electronically file or search information as required under this subsection. The board may require the filing of other prescriptions and may specify the manner in which the prescriptions are filed. The board may, by rule and regulation, provide exemptions from the requirements of this subsection including but not limited to exemptions for prescriptions dispensed in certain inpatient health care settings, for settings where the risk for diversion or misuse of medication is found by the board to be minimal and exemptions for emergencies and other situations as determined by the board in consultation with other professional licensing boards that license practitioners who are affected by the requirements of this subsection.

(f) The board may conduct a survey or audit of a practitioner's usage of the state computerized program to track prescriptions in relation to the practitioner's prescribing patterns. If the board finds low or inappropriate

usage of the program the board shall report its findings to the practitioner's professional licensing board.". CLEM

HB0085H3002/ADOPTED

Page 2-line 16 After "**Section 2.**" delete balance of line and insert "This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.". WILSON

2/27/2020 H 3rd Reading:Passed 55-4-1-0-0

ROLL CALL

Ayes: Representative(s) Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen Lloyd, Laursen Dan, Lindholm, Loucks, Miller, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Barlow, Macguire, Newsome, Walters

Excused: Representative Blackburn

Ayes 55 Nays 4 Excused 1 Absent 0 Conflicts 0

2/28/2020 S Received for Introduction
2/28/2020 S Introduced and Referred to S10 - Labor
3/2/2020 S10 - Labor:Recommend Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Baldwin, Bouchard, Pappas, Schuler, Scott

Ayes 5 Nays 0 Excused 0 Absent 0 Conflicts 0

3/2/2020 S Placed on General File

HB0085SW001/ADOPTED (TO ENGROSSED COPY)

Page 3-line 6 Strike "remains" and insert "remain". BALDWIN

3/3/2020 S COW:Passed
3/4/2020 S 2nd Reading:Passed
3/5/2020 S 3rd Reading:Passed 29-1-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Nays: Senator Biteman

Ayes 29 Nays 1 Excused 0 Absent 0 Conflicts 0

3/5/2020 H Received for Concurrence
3/6/2020 H Concur:Passed 58-0-2-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen Lloyd, Laursen Dan, Lindholm, Loucks,

Macguire, Miller, Newsome, Nicholas, Northrup, Obermueller, Olsen, Paxton, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Excused: Representative(s) Blackburn, Pelkey

Ayes 58 **Nays** 0 **Excused** 2 **Absent** 0 **Conflicts** 0

3/6/2020 Assigned Number HEA No. 0042
3/6/2020 H Speaker Signed HEA No. 0042
3/9/2020 S President Signed HEA No. 0042
3/12/2020 Governor Signed HEA No. 0042
3/12/2020 Assigned Chapter Number 68

Chapter No. 68 Session Laws of Wyoming 2020