

## HOUSE BILL NO. HB0085

Prescription tracking program rules.

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

A BILL

for

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

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 35-7-1060(a), (b) and by creating a  
10 new subsection (f) is amended to read:

11

12 **35-7-1060. Controlled substance prescription tracking**  
13 **program.**

14

15 (a) In addition to other duties and responsibilities  
16 as provided by this act, the board shall maintain a

1 computerized program to track prescriptions for controlled  
2 substances for the purposes of assisting patients,  
3 practitioners and pharmacists to avoid inappropriate use of  
4 controlled substances and of assisting with the  
5 identification of illegal activity related to the  
6 dispensing of controlled substances. The tracking program  
7 and any data created thereby shall be administered by the  
8 board, and the board may charge reasonable fees to help  
9 defray the costs of operating the program. Any fee shall  
10 be included with and in addition to other registration fees  
11 established by the board as authorized in W.S. 35-7-1023.  
12 The board shall promulgate rules to administer the tracking  
13 program under this section. Rules adopted under this  
14 subsection may specify requirements and procedures for  
15 practitioners, pharmacists and any other person authorized  
16 or required to use the tracking program.

17

18 (b) Except as otherwise provided in this subsection,  
19 when a practitioner, other than a veterinarian, prescribes  
20 a schedule II, III, IV or V controlled substance, the  
21 practitioner or his delegate shall search the prescription  
22 tracking program for prior prescriptions issued to the  
23 patient before first issuing the prescription and as needed

1 thereafter based on current best practice guidelines for  
2 the practitioner's licensed profession, except for  
3 prescribed opioids for which the practitioner or his  
4 delegate shall repeat the search every three (3) months  
5 thereafter for as long as the ~~controlled~~substance  
6 prescribed opioids remains a part of the patient's  
7 treatment. A practitioner who prescribes a schedule V  
8 controlled substance shall only be required to search the  
9 program as otherwise provided in this subsection if the  
10 substance is an opioid. A dispenser, other than a  
11 veterinarian, shall electronically file with the board  
12 information regarding any prescription for a schedule II,  
13 III, IV or V controlled substance dispensed by the  
14 dispenser no later than the close of business on the  
15 business day immediately following the day the controlled  
16 substance was dispensed. The board may grant a reasonable  
17 time extension to a dispenser or practitioner who is unable  
18 to electronically file or search information as required  
19 under this subsection. The board may require the filing of  
20 other prescriptions and may specify the manner in which the  
21 prescriptions are filed. The board may, by rule and  
22 regulation, provide exemptions from the requirements of  
23 this subsection including but not limited to exemptions for

1 prescriptions dispensed in certain inpatient health care  
2 settings, for settings where the risk for diversion or  
3 misuse of medication is found by the board to be minimal  
4 and exemptions for emergencies and other situations as  
5 determined by the board in consultation with other  
6 professional licensing boards that license practitioners  
7 who are affected by the requirements of this subsection.

8  
9 (f) The board may conduct a survey or audit of a  
10 practitioner's usage of the state computerized program to  
11 track prescriptions in relation to the practitioner's  
12 prescribing patterns. If the board finds low or  
13 inappropriate usage of the program the board shall report  
14 its findings to the practitioner's professional licensing  
15 board.

16  
17 **Section 2.** This act is effective immediately upon  
18 completion of all acts necessary for a bill to become law  
19 as provided by Article 4, Section 8 of the Wyoming  
20 Constitution.

21

22

(END)