

ENROLLED ACT NO. 42, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2020 BUDGET SESSION

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.

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

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

35-7-1060. Controlled substance prescription tracking program.

(a) In addition to other duties and responsibilities as provided by this act, the board shall maintain a computerized program to track prescriptions for controlled substances for the purposes of assisting patients, practitioners and pharmacists to avoid inappropriate use of controlled substances and of assisting with the identification of illegal activity related to the dispensing of controlled substances. The tracking program and any data created thereby shall be administered by the board, and the board may charge reasonable fees to help defray the costs of operating the program. Any fee shall be included with and in addition to other registration fees established by the board as authorized in W.S. 35-7-1023. The board shall promulgate rules to administer the tracking program under this section. Rules adopted under this subsection may specify requirements and procedures for practitioners, pharmacists and any other person authorized or required to use the tracking program.

(b) Except as otherwise provided in this subsection, when a practitioner, other than a veterinarian, prescribes

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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 remains~~ prescribed opioids remain 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.

ORIGINAL HOUSE
BILL NO. HB0085

ENGROSSED

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(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.

Section 2. 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.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk