

LEGAL SERVICES

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MEMORANDUM

January 26, 2018

SUBJECT: Temporary permits and exemptions from HB 159 opioid training requirements (SB 161; Work Order No. 30-LS1284(A.1))

TO: Senator David Wilson
Attn: Jody Simpson

FROM: Claire Radford
Legislative Counsel 

The draft amendment relating to the temporary permits to substitute for an incapacitated dentist is attached. You also requested information regarding whether there were other entities that may hold temporary permits that are exempt from the opioid training requirements in ch. 2 SSSLA 17, SCS CSHB 159(FIN) ("HB 159").

There are a number of professions that have temporary licensing statutes. I limited the scope of my research to professions with the ability to prescribe or dispense drugs. Of these professions, physicians, osteopaths, and podiatrists all have a statute regarding temporary permits that are not exempt from opioid training under HB 159. There are three other professions that also have temporary licensing requirements including nursing, pharmacy, and veterinarians.

The Board of Nursing may issue temporary permits.¹ Nurses are required to comply with the regulations of the Board of Nursing. HB 159 amended the duties of the Board of Nursing and required it to adopt regulations regarding the training in pain management and opioid use and addiction. Therefore nurses are also not exempt from the opioid training requirement.

Additionally pharmacists are able to receive temporary licenses under AS 08.80.150. The Board of Pharmacy is in charge of adopting regulations regarding the issuance of temporary licenses to practice pharmacy. Pharmacists have express duties when filling prescriptions. These duties do not specifically require additional training in pain management and opioid use and addiction.

Veterinarians can also apply for temporary permits and are exempt from HB 159. Veterinarians are required to register with the controlled substance prescription database

¹ AS 08.68.210.

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under HB 159. While veterinarians do not have human patients, there is still a limit under HB 159 on the amount of opioids that they can prescribe. The requirements for a temporary license do not specifically require additional training in pain management and opioid use and addiction.

If I may be of further assistance, please advise.

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18-034.boo

Attachment