

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Sectional Analysis for HB 242

Section 1: Amends the powers and responsibilities of the Dental Board to require the board to adopt regulations establishing opioid prescription dosage standards for practitioners licensed by the board.

Section 2: Amends the powers and responsibilities of the State Medical Board to require the board to adopt regulations establishing opioid prescription dosage standards for practitioners licensed by the board.

Section 3: Amends the powers and responsibilities of the Board of Nursing to require the board to adopt regulations establishing opioid prescription dosage standards for practitioners licensed by the board.

Section 4: Amends the powers and responsibilities of the Board of Optometry to require the board to adopt regulations establishing opioid prescription dosage standards for practitioners licensed by the board.

Section 5: Adds a new subsection to the Board of Pharmacy statutes requiring pharmacists to confirm, before filling a prescription for a Schedule II-IV controlled substance, that the prescriber reviewed the patient's prescription records in the controlled substance prescription database before prescribing.

Section 6: Amends the powers and responsibilities of the Board of Veterinary Examiners to require the board to adopt regulations establishing opioid prescription dosage standards for practitioners licensed by the board.

Section 7: Adds a new subsection to the statutes governing investigation of death by the State Medical Examiner, directing the Medical Examiner to report to the Board of Pharmacy when a person's death was caused by an overdose of a schedule II-IV controlled substance. The Medical Examiner shall report the deceased person's name, address and date of birth to the Board of Pharmacy which shall take action as directed in Section 15 of the bill.

Section 8: Amends the statutes governing the Controlled Substance Prescription Database to specify that the database will identify healthcare practitioners who fail to review patient

information in the database as required by law and that the database will identify each occurrence of failure to review.

Section 9: Clarifies that security and confidentiality of the database is a requirement rather than an aspiration by deleting the words “undertake to” on page 8 line 11.

Section 10: Requires licensing boards to take disciplinary action against practitioners who fail to register with the database or review patient information as required by law.

Section 11: Removes protection from civil liability for healthcare practitioners who fail to access information in the database.

Section 12: Deletes the requirement that prescription information in the database be purged after two years and removes the requirement that the Board of Pharmacy establish a “time frame” for healthcare practitioners to register with the database.

Section 13: Makes mandatory rather than optional, the notification by the Board of Pharmacy, to the relevant practitioner, licensing board and pharmacist when a patient receives a prescription for controlled substances in quantities or frequency inconsistent with generally recognized standards of safe practice.

Section 14: Makes mandatory rather than optional, the issuance of annual reports that compare individual healthcare practitioner’s opioid prescribing practice with other practitioners of the same occupation and similar specialty. Section 14 also requires copies of the reports to be sent to the practitioner’s licensing board and to the medical director of a group practice. Those copies will exclude information that identifies patients. Recipients of reports may only disclose information to other individuals who have access to the database.

Section 15: Directs the actions of the Board of Pharmacy when the board receives notice from the Medical Examiner as required by Section 7 of the bill, that a person’s death was caused by an overdose of a schedule II-IV controlled substance. The board shall review the database to identify healthcare practitioner who prescribed a schedule II-IV controlled substance to the person during the three months preceding death and notify the practitioner and relevant licensing board.

Section 16: Requires the six licensing covered by this bill boards and the Department of Commerce, Community and Economic Development to adopt necessary regulations within one year of the January 1, 2021 effective date of Sections 1-15.

Section 17: Establishes an immediate effective date for the regulation adoption authority required to implement Section 16.

Section 18: States the bill takes effect on January 1, 2021 with the exception of the authority to adopt regulations contained in Sections 16 and 17 of the bill.