

**HOUSE BILL NO. 239**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE CHENAULT**

**Introduced: 4/4/03**

**Referred: Health, Education and Social Services, State Affairs, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act directing the Department of Public Safety to establish an Internet-based**  
2 **identification and tracking system relating to controlled substances that are prescribed**  
3 **for human use; and relating to the manner in which prescriptions for controlled**  
4 **substances may be filled by a pharmacist."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 \* **Section 1.** AS 08.80 is amended by adding a new section to read:

7 **Sec. 08.80.305. Controlled substance data base.** (a) The Department of  
8 Public Safety, in consultation with the State Medical Board and the Board of  
9 Pharmacy, shall develop a controlled substance secure Internet data base that will  
10 allow each pharmacist in the state to determine, by consulting the secure Internet data  
11 base, whether a prescription for a controlled substance that is being dispensed by the  
12 pharmacist to cover a certain time period for a human patient duplicates a prescription  
13 already dispensed for the same patient that was intended to cover a substantial portion  
14 of the same time period. The department shall design the secure Internet data base in a

1 manner that maintains the confidentiality of the information in the secure Internet data  
2 base so that the secure Internet data base can only be used by pharmacists for the  
3 purposes identified in this section. The secure Internet data base shall use a unique  
4 identifying number for each patient for whom a controlled substance is prescribed and  
5 for each person designated by a patient as a person entitled to obtain a prescribed  
6 controlled substance on behalf of the patient. The department, in consultation with the  
7 State Medical Board and the Board of Pharmacy, shall determine how and by whom  
8 the identifying numbers and prescription information will be entered into the secure  
9 Internet data base.

10 (b) Before dispensing a controlled substance for human use, a pharmacist shall  
11 require picture identification from the person attempting to pick up the controlled  
12 substance and shall consult the secure Internet data base developed under (a) of this  
13 section. The pharmacist may not dispense a controlled substance if

14 (1) the secure Internet data base indicates that a prescription for the  
15 same controlled substance has been filled for the same patient in an amount intended  
16 to cover a substantial portion of the same time period as the prescription drug order  
17 presented to the pharmacist; or

18 (2) the person's identification does not reasonably substantiate that the  
19 person is either the patient for whom the controlled substance is intended or the person  
20 designated in the secure Internet data base as a person entitled to obtain a controlled  
21 substance on behalf of the patient.

22 (c) In this section, "department" means the Department of Public Safety.