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HOUSE BILL NO. 657

House Amendments in [] - January 26, 2016

A BILL to amend and reenact § 54.1-2523.1 of the Code of Virginia, relating to Prescription Monitoring Program; disclosure of information.

Patron Prior to Engrossment—Delegate O'Bannon

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2523.1 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2523.1. Criteria for indicators of misuse; Director's authority to disclose information; intervention.

A. The Director shall develop, in consultation with an advisory panel [which shall include representatives of the Boards of Medicine and Pharmacy], criteria for indicators of *unusual patterns of prescribing or dispensing of covered substances by prescribers or dispensers and misuse of covered substances by recipients* and a method for analysis of data collected by the Prescription Monitoring Program using the criteria for indicators of misuse *to identify unusual patterns of prescribing or dispensing of covered substances by individual prescribers or dispensers or potential misuse of a covered substance by a recipient.*

~~Upon the development of such criteria and data analysis,~~ B. *In cases in which analysis of data collected by the Prescription Monitoring Program using the criteria for indicators of misuse indicates an unusual pattern of prescribing or dispensing of a covered substance by an individual prescriber or dispenser or potential misuse of a covered substance by a recipient, the Director may, in addition to the discretionary disclosure of information pursuant to § 54.1-2523, disclose information using the criteria that indicates potential misuse by recipients of covered substances to (i) their specific prescribers:*

1. *Disclose information about the unusual prescribing or dispensing of a covered substance by an individual prescriber or dispenser to the Enforcement Division of the Department of Health Professions;* or

2. *Disclose information about the specific recipient to (i) the prescriber or prescribers who have prescribed a covered substance to the recipient for the purpose of intervention to prevent such misuse or abuse of such covered substance or (ii) an agent who has completed the Virginia State Police Drug Diversion School designated by the Superintendent of the Department of State Police or designated by the chief law-enforcement officer of any county, city, or town or campus police department for the purpose of an investigation into possible drug diversion.*

ENGROSSED

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