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SENATE BILL NO. 878

Offered January 9, 2013

Prefiled January 4, 2013

A *BILL to amend the Code of Virginia by adding a section numbered 54.1-2971.02, relating to Prescription Monitoring Program; required checks.*

Patron—Puckett

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 54.1-2971.02 as follows:

§ 54.1-2971.02. Prescription of covered substances; required check of the Prescription Monitoring Program.

A. Any prescriber who prescribes a covered substance as defined in § 54.1-2519 to a patient shall, at the time such prescription is made, request and review information about that patient from the Prescription Monitoring Program established pursuant to Chapter 25.2 (§ 54.1-2519 et seq.) or cause such information to be requested and reviewed by a health care professional to whom such authority has been delegated, pursuant to § 54.1-2523.2, for the purpose of establishing the treatment history of the patient. Thereafter, the prescriber shall request and review such information about the patient or cause such information to be requested and reviewed at least annually for so long as the prescriber continues to prescribe the covered substance to the patient.

B. Notwithstanding the provisions of subsection A, a prescriber shall not be required to request and review, or cause to be requested and reviewed, information about a patient from the Prescription Monitoring Program in the following circumstances:

1. The covered substance is dispensed to a patient receiving care in a hospice licensed by the Board of Health;

2. The covered substance is prescribed and dispensed to a patient as a nonrefillable prescription as part of treatment following a surgical procedure;

3. The number of dosage units of the covered substance prescribed and dispensed does not exceed the number of dosage units necessary for administration of the covered substance in accordance with directions of the prescriber for a period of seven days and the prescription is nonrefillable; or

4. As described by the Board in regulations, which may include provisions exempting prescribers practicing in specified medical specialties identified by the Board from the requirements set forth in subsection A when such prescribers prescribe certain covered substances identified by the Board in regulations as having a low potential for abuse by patients receiving such treatment.

2. The Board of Medicine shall promulgate regulations to implement the provisions of this act related to mandatory requests for and review of information from the Prescription Monitoring Program by prescribers and exemption of certain prescribers prescribing certain covered substances from the requirement for review of information from the Prescription Monitoring Program.

INTRODUCED

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