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HOUSE BILL NO. 313

Offered January 10, 2018

Prefiled January 4, 2018

A BILL to amend and reenact § 54.1-2523.1 of the Code of Virginia, relating to Prescription Monitoring Program; notification of top prescribers by quantity.

Patron—Head

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 annually review data collected by the Prescription Monitoring Program to identify those prescribers who, on the basis of such data, fall within the top 10 percent of prescribers by quantity of covered substances prescribed and shall notify such prescribers that they are among the top 10 percent of prescribers of covered substances in the Commonwealth.

B. In addition to the requirements set out in subsection A, the Director shall develop, in consultation with an advisory panel ~~which~~ that 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.

C. In cases in which analysis of data collected by the Prescription Monitoring Program using the criteria for indicators of misuse pursuant to subsection B 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:

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 misuse of such covered substance or (ii) an agent who has completed the Virginia State Police Drug Diversion School designated by the Superintendent 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.

INTRODUCED

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