

PROPOSED AMENDMENTS TO SENATE BILL NO. 2134

Page 1, line 13, replace "carisopordol" with "carisoprodol"

Page 3, line 22, after "department" insert "of human services"

Page 5, after line 3, insert:

**"19-03.5-06. Data review and referral - Corrections.**

1. a. The board shall review the information received by the central repository to determine if there is reason to believe:
  - (1) A prescriber or dispenser may have engaged in an activity that may be a basis for disciplinary action by the board or regulatory agency responsible for the licensing of the prescriber or dispenser; or
  - (2) A patient may have misused, abused, or diverted a controlled substance.
- b. If the board determines that there is reason to believe that any of the acts described in subdivision a may have occurred, the board may notify the appropriate law enforcement agency or the board or regulatory agency responsible for the licensing of the prescriber or dispenser. The advisory council described in section 19-03.5-07 shall recommend guidelines to the board for reviewing data and making determinations with respect to the referral of patients, prescribers, or dispensers to law enforcement or appropriate regulatory authorities.
2. A patient, dispenser, or prescriber may request that erroneous information contained in the central repository be corrected or deleted. The board shall review the request to determine if the information is erroneous with respect to the patient, prescriber, or dispenser. The board shall correct any erroneous information the board discovers due to the request for review by a patient, prescriber, or dispenser.
3. The board shall adopt a procedure to allow information contained in the central repository to be shared with officials in other states acting for the purpose of controlled substance monitoring and for requesting and receiving similar controlled substance monitoring information from other states.

**19-03.5-07. Advisory council.**

1. An advisory council is established to advise and make recommendations to the board regarding how to best use the program to improve patient care and foster the goal of reducing misuse, abuse, and diversion of controlled substances; to encourage cooperation and coordination among state, local, and federal agencies and other states to reduce the misuse, abuse, and diversion of controlled substances; and to provide advice and

recommendations to the board regarding any other matters as requested by the board. The advisory council may have access to central repository information to fulfill its duties.

2. The advisory council must consist of:
  - a. One dispenser selected by the board;
  - b. One physician selected by the North Dakota medical association;
  - c. One prescriber selected by the board of nursing;
  - d. A designee of the attorney general;
  - e. A designee of the department of human services;
  - f. One prescriber selected by the board of medical examiners;
  - g. One prescriber selected by the North Dakota nurses association; and
  - h. Any other prescriber or dispenser determined by the board to be necessary to meet a mandate of, or avoid a delay in implementing, an appropriations measure. The number of additional members selected by the board must be limited to the number necessary to meet the mandate or avoid the delay of an appropriation.
3. The advisory council shall make recommendations to the board regarding:
  - a. Safeguards for the release of information to individuals who have access to the information contained in the central repository;
  - b. The confidentiality of program information and the integrity of the patient's relationship with the patient's health care provider;
  - c. Advancing the purposes of the program, including enhancement of the quality of health care delivery in this state; and
  - d. The continued benefits of maintaining the program in relationship to the cost and other burdens to the state.
4. The board may provide reimbursement of expenses and per diem to members of the advisory council within the limits provided in state law."

Page 5, line 4, replace "**19-03.5-06**" with "**19-03.5-08**" and replace "Nothing in this chapter may be construed to" with "The board may provide data in the central repository"

Page 5, remove line 5

Page 5, line 6, remove "program" and remove "to the"

Page 5, line 7, remove "extent otherwise authorized by law"

Page 5, line 9, replace "**19-03.5-07**" with "**19-03.5-09**"

Page 5, line 11, replace "**19-03.5-08**" with "**19-03.5-10**"

Renumber accordingly