

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2089

Introduced by

Human Services Committee

(At the request of the State Board of Pharmacy)

1 A BILL for an Act to amend and reenact section 19-03.5-02 and subdivision e of subsection 3 of
2 section 19-03.5-03 of the North Dakota Century Code, relating to state board of pharmacy
3 prescription monitoring programs and access to prescription drug information.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 19-03.5-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **19-03.5-02. Requirements for prescription drug monitoring program.**

- 8 1. The board shall establish and maintain a program for the monitoring of prescribing and
9 dispensing of all controlled substances.
- 10 2. Each dispenser shall submit to the board by electronic means information regarding
11 each prescription dispensed for a controlled substance. ~~The information submitted for~~
12 ~~each prescription must include all of the data elements in the American Society for~~
13 ~~Automation in Pharmacy Rules-Based Standard Implementation Guide for Prescription~~
14 ~~Monitoring Programs issued August 31, 2005, version 003, release 000.~~ The board
15 shall establish and update rules to direct dispensers on the version of the American
16 Society for Automation in Pharmacy Rules-Based Standard Implementation Guide for
17 Prescription Monitoring Programs in which the dispensing history must be submitted to
18 the central repository.
- 19 3. Each dispenser shall submit the information in accordance with transmission methods
20 and frequency established by the board.
- 21 4. The board may issue an extension of time to a dispenser that is unable to submit
22 prescription information by electronic means.

23 **SECTION 2. AMENDMENT.** Subdivision e of subsection 3 of section 19-03.5-03 of the
24 North Dakota Century Code is amended and reenacted as follows:

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- 1 e. The department of human services for purposes regarding the utilization of
- 2 controlled substances by a medicaid recipient or establishment and enforcement
- 3 of child support and medical support;