

Senate Study Bill 1018 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH/BOARD OF
PHARMACY BILL)

A BILL FOR

1 An Act relating to the Iowa prescription monitoring program and
2 including an effective date provision.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.553, subsection 1, paragraph a, Code
2 2011, is amended to read as follows:

3 a. (1) A pharmacist or prescribing practitioner who
4 requests the information and certifies in a form specified
5 by the board that it is for the purpose of providing medical
6 or pharmaceutical care to a patient of the pharmacist or
7 prescribing practitioner. ~~Neither a~~ A pharmacist ~~nor~~ or a
8 prescribing practitioner may delegate program information
9 access to another authorized individual or agent only if that
10 individual or agent registers for program information access,
11 pursuant to board rules, as an agent of the pharmacist or
12 prescribing practitioner. Board rules shall identify the
13 qualifications for a pharmacist's or prescribing practitioner's
14 agent and shall limit the number of agents to whom each
15 pharmacist or prescribing practitioner may delegate program
16 information access.

17 (2) Notwithstanding subparagraph (1), a prescribing
18 practitioner may delegate program information access to another
19 licensed health care professional ~~only~~ in emergency situations
20 where the patient would be placed in greater jeopardy if the
21 prescribing practitioner was required to access the information
22 personally.

23 Sec. 2. Section 124.558, subsection 1, Code 2011, is amended
24 to read as follows:

25 1. *Failure to comply with requirements.* A pharmacist,
26 pharmacy, ~~or~~ prescribing practitioner, or agent of a pharmacist
27 or prescribing practitioner who knowingly fails to comply
28 with the confidentiality requirements of this division
29 or who delegates program information access to another
30 individual except as provided in section 124.553, is subject to
31 disciplinary action by the appropriate professional licensing
32 board. A pharmacist or pharmacy that knowingly fails to
33 comply with other requirements of this division is subject to
34 disciplinary action by the board. Each licensing board may
35 adopt rules in accordance with chapter 17A to implement the

1 provisions of this section.

2 Sec. 3. REPEAL. 2009 Iowa Acts, Chapter 36, section 3, if
3 enacted, is repealed.

4 Sec. 4. EFFECTIVE UPON ENACTMENT. The following provision
5 or provisions of this Act, being deemed of immediate
6 importance, take effect upon enactment:

7 1. Section 3 of this Act repealing 2009 Iowa Acts, chapter
8 36, section 3.

9

EXPLANATION

10 This bill relates to the information program for drug
11 prescribing and dispensing known as the Iowa prescription
12 monitoring program (PMP). The Iowa PMP is a prescription
13 drug database program containing records of the dispensing of
14 prescriptions for identified controlled substances.

15 The bill provides that a pharmacist or prescribing
16 practitioner who has registered for access to the Iowa PMP
17 may delegate access to one or more agents of the pharmacist
18 or prescribing practitioner pursuant to rules of the board of
19 pharmacy. An agent of a pharmacist or prescribing practitioner
20 shall register as such for access to the Iowa PMP and shall
21 be bound by the same program provisions and confidentiality
22 requirements as the supervising pharmacist or prescribing
23 practitioner.

24 The bill also repeals a provision terminating the Iowa PMP
25 on June 30, 2011.