**M E M O R A N D U M**

**DATE**: November 15, 2021

**TO**: Interested Parties

**FROM**: Andrew Funk, Pharm.D.

Executive Director

**SUBJECT**: Board of Pharmacy Controlled Substances Act / Prescription Monitoring Program Bill

This bill relates to controlled substance scheduling and the Iowa Prescription Monitoring Program (PMP) Advisory Council.

Division I places 20 new substances (which have been temporarily scheduled by board rulemaking) into the Iowa uniform Controlled Substances Act (CSA) and amends the placement of 12 previously scheduled substances in response to action taken by the federal Drug Enforcement Administration (DEA). The bill also adds three List 1 chemicals as precursor substances.

Division II amends the appointment and composition of the PMP Advisory Council. The bill changes the Council from Governor-appointed Council to a board-appointed committee; removes the minimum number of Council members; modifies the composition of the Council; directs the Board to adopt rules on matters pertaining to the Council membership, including terms of appointment and quorum (while striking the joint adoption of rules with the Council as the Council does not have rulemaking authority); requires the Board to consult with professional organizations and licensing boards for committee membership; and expands the responsibility to monitor and ensure that patient confidentiality, best interests, and civil liberties are at all times protected and preserved during the existence of the program to all members. The PMP was originally established through legislation in 2008 and has changed significantly over the past decade. Usage of the PMP has grown significantly in recent years and the Board wishes to update the Advisory Council’s membership to better reflect the current user population without placing an undue burden on the Governor.