

Prescription Monitoring Program Advisory Council State of Louisiana

January 10, 2007

MINUTES

A meeting of the Prescription Monitoring Program (PMP) Task Force scheduled to meet on Wednesday, January 10, 2007 at the office of the Louisiana Board of Pharmacy, 5615 Corporate Blvd., Suite 8-E, Baton Rouge, Louisiana 70808, convened at 1:00 p.m. to consider the following:

A G E N D A

1. Call to Order
2. Introduction of Council Membership
3. Election of Chair and Vice Chair
4. Consideration of Draft Policies & Procedures
5. Prescription Monitoring Program
 - a. Review of Prior Activities
 - b. Review of Project Timeline
6. Consideration of Draft Rules
7. Calendar Notes
8. Opportunity for Public Comment
9. Adjourn

Advisory Council representatives/designees present: Joni Nickens (LANP), J. Michael Burdine, M.D. (LSMS), James D. Sandefur, O.D. (LSBOE), David Staton & Murphy Paul (LA State Police), Peggy Griener (LSBN), Louis Lejarza (DEA), M.J. Terrebonne (DHH), Bud Courson (NACDS), Katie McMurray (LPA), J.J. Williams (LA DA's Association), Carl W. Aron (LABP), Alfred L. Gaudet (LSBME), Kenneth Betzing (LAPA), John F. Bolter (LSBEP), Joseph Roberts (LDAA), Barry Ogden (LSBD).

Others present: Malcolm J. Broussard, Kathleen Gaudet & Carlos M. Finalet, III (LABP), (Rochelle Head Dunham, M.D. & Brenda Lands (OAD/DHH), Roland Mathews (LA State Police), Phyllis Perron (LPA).

Election of Chair and Vice Chair

Carl W. Aron was elected without opposition as Chair to the Council. Al Gaudet was elected without opposition to the Vice Chair position.

Consideration of Draft Policies & Procedures

Malcolm Broussard explained the draft of proposed policies and procedures. The Council approved the policies and procedures unanimously without change. *Attached as Exhibit A.*

Prescription Monitoring Program

a. Review of Prior Activities

Mr. Broussard summarized the history of the PMP Task Force, PMP legislation (Act 676) effective July 1, 2006, and research of other PMP programs in the country.

b. Review of Project Timeline

In 2006 the Legislature designated the Board as the agency responsible for the issuance of the state Controlled Dangerous Substance licenses. The Board office is still in the process of transitioning that program into our office. This has delayed the PMP timeline.

The Board is in the process of getting Civil Service approval for the positions for the PMP program. Database/software issues were discussed in detail in relation to the timeline.

Consideration of Draft Rules

The Council agreed the regulations for the PMP program regulations will be in the Board's regulations in the Louisiana Administrative Code, Title 46; LIII. Chapter 26 of the Board's regulations will be devoted exclusively to these provisions. The Council reviewed Draft #1 of the proposed regulations. *Attached as Exhibit B.*

§2601 – Definitions.

Subsection (10) defines "patient" as a "person or animal". Mr. Broussard explained that veterinarians were exempted from the PMP program during the legislative process. However, the statutory definition of 'patient' was not amended to remove 'animal' from its scope. So, while not applicable to animals, the regulatory definition must parallel the statutory definition until the latter can be corrected by legislation.

§2611 – Reporting of prescription monitoring information.

JJ Williams inquired as to the duration for any exemption from the electronic reporting provisions. The Council agreed to a modification of §2611(C): "The waiver shall expire one year after the date of issue, unless terminated sooner by the Board."

§2613 – Required data elements.

Subsection (B)(4): The Council deliberated over what identifier to use for the patient identification number. Mr. Broussard explained some states use the Social Security number. Others use the driver's license number of the patient. Major Staton explained that, like Louisiana's proposed regulations, other states have multiple identifiers beyond this number to ensure the whole of the patient information cell in the system is as accurate as possible. The Council agreed to use the Social Security number as the identification number for program reporting.

Subsection (E): The Council agreed to use the National Practitioner Identification (NPI) number as part of the dispenser information required for reporting.

§2617 – Authorized users of prescription monitoring information.

The Council agreed to modify the title of this section to "authorized direct access users" to clarify its intent.

§2619 – Registration procedures for authorized users.

Similarly, the Council agreed to modify the title of this section to read “Registration procedures for authorized direct access users” to clarify the intent of the section.

§2627 – Legislative oversight.

A typographical error in the first line was corrected: “in not case” corrected to read “in no case”.

No other changes were made to the proposed regulations.

Several Council members requested time to present these proposed regulations to their respective entities for final approval before the Board’s meeting in March. The Council agreed to leave the ability for additional comment open.

Calendar Notes

The Council approved the second Wednesday of the first calendar month of each quarter (January, April, July, and October) as its meeting dates, starting at 1:00 p.m.

Opportunity for Public Comment

No public comments were made.

Adjournment: The Advisory Council adjourned at approximately 4:00 p.m.

I certify that the foregoing are true and accurate minutes of a meeting of the Prescription Monitoring Advisory Council for the State of Louisiana, held on the above noted date.

Malcolm J. Broussard
Executive Director
Louisiana Board of Pharmacy

Prepared by: Carlos M. Finalet, III, General Counsel, Louisiana Board of Pharmacy