



126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1840

S.P. 743

In Senate, March 21, 2014

**An Act To Implement the Recommendations of the Substance Abuse
Services Commission with Regard to the Controlled Substances
Prescription Monitoring Program**

(EMERGENCY)

Reported by Senator CRAVEN of Androscoggin for the Joint Standing Committee on Health and Human Services pursuant to Joint Rule 353.

Reference to the Committee on Health and Human Services suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** the Controlled Substances Prescription Monitoring Program is an
4 important tool for prescribers of controlled substances to use to prevent and detect
5 prescription drug misuse and diversion and improve patient care through better
6 coordination of care; and

7 **Whereas,** timely enrollment in the Controlled Substances Prescription Monitoring
8 Program and ongoing education of prescribers to use the program are fundamental to its
9 success; and

10 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
11 the meaning of the Constitution of Maine and require the following legislation as
12 immediately necessary for the preservation of the public peace, health and safety; now,
13 therefore,

14 **Be it enacted by the People of the State of Maine as follows:**

15 **Sec. 1. 22 MRSA §7249, sub-§5,** as enacted by PL 2011, c. 477, Pt. K, §1, is
16 repealed.

17 **Sec. 2. Online applications and renewals for prescribers of controlled**
18 **substances; electronic coding; access for prescribers and their delegates.** The
19 Department of Health and Human Services, Controlled Substances Prescription
20 Monitoring Program, referred to in this section as "the program," shall update the
21 enrollment mechanism for prescribers of controlled substances who are registering with
22 the program or are renewing registration. The update must enable prescribers to be
23 enrolled in the program automatically when applying for or renewing a professional
24 license and must establish the electronic code necessary to update the program's computer
25 system accordingly. The update must allow a federal Drug Enforcement Administration
26 number to be entered during the online application or renewal process and must notify an
27 applicant that in providing the federal number the applicant is automatically registered
28 with the program. The program shall update its computer system to allow subaccount
29 holders and delegated account holders access to the database using the online application
30 process. The program shall update its computer system to enable licensing data to be
31 extracted on a scheduled basis from the agency licensing management system and
32 securely transferred to the program in order to enroll in the program unregistered
33 licensees who have federal Drug Enforcement Administration numbers and e-mail
34 addresses.

35 **Sec. 3. Outside funding.** If the Department of Health and Human Services finds
36 that sufficient funding to fund the update under section 2 is not available to the
37 department for that purpose, the department may seek and may accept outside funding
38 necessary to complete the update under section 2.

39 **Sec. 4. Appropriations and allocations.** The following appropriations and
40 allocations are made.

1 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

2 **Office of Substance Abuse and Mental Health Services 0679**

3 Initiative: Provides one-time funding for the Controlled Substances Prescription
4 Monitoring Program for computer system development costs including funds for system
5 code for online application and renewal registration and to enable subaccount holders and
6 delegated account holders access to the program database.

7

8	GENERAL FUND	2013-14	2014-15
9	All Other	\$0	\$16,150
10			
11	GENERAL FUND TOTAL	\$0	\$16,150

12 **Emergency clause.** In view of the emergency cited in the preamble, this
13 legislation takes effect when approved.

14 **SUMMARY**

15 This bill implements the recommendations of the Substance Abuse Services
16 Commission with regard to the Controlled Substances Prescription Monitoring Program
17 pursuant to Resolve 2013, chapter 25. The bill is the unanimous report of the Joint
18 Standing Committee on Health and Human Services and is reported out of committee
19 pursuant to Joint Rule 353. The bill repeals provisions of the Controlled Substances
20 Prescription Monitoring Program that pertain to specific participation requirements. It
21 appropriates funding to enable the Department of Health and Human Services to update
22 the monitoring program's online enrollment mechanism for prescribers of controlled
23 substances and directs the department to take action to enable those prescribers to renew
24 professional applications online. It appropriates funding to implement electronic coding
25 necessary to update the monitoring program's computer system. The bill directs the
26 Department of Health and Human Services to seek outside funding if funding is
27 insufficient to complete the update.