



Senate Public Health and Welfare Committee

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Summary A06020 to SB 1180

- Clarifies the responsibilities between the ABC-MAP Board and the Department of Health.
- Adds correctional facility contractors to the dispenser exclusion. It also only applies if the confined person cannot lawfully visit a prescriber outside the correctional facility without being escorted by an officer.
- Adds the Physician General to the ABC-MAP Board if the Secretary of Health is not a physician.
- Allows the Board to meet more frequently than annually at the discretion of the chairperson.
- Provides notice to patients that information regarding controlled substances is being collected by the ABC-MAP program. The manner of notice may be determined by the board with the advice of the advisory group.
- Adds patient and privacy advocates to the advisory group.
- Requires that any change in frequency of reporting be done in collaboration with the Board of Pharmacy and its members to ensure that pharmacy is able to accommodate the changes.
- Limits program referral of data to law enforcement or a licensing board to instances in which there is a pattern of irregular data deviating from the clinical standard.
- Directs the board to set explicit standards for system security when a prescriber has a designee for purposes of accessing the system.
- Reduces the amount of time the board shall keep identifying information from seven years to four and limits the amount of time information may be kept upon request to one year.
- Clarifies that current pharmacy reporting requirements to the Attorney General's Office expire once the program is fully implemented.
- Deletes certain items from being reported by dispensers because it is not readily available information.

- Requires prescribers to query the system the first time the patient is prescribed a controlled substance and not just for every new patient.
- Clarifies that a prescriber or dispenser who uses a sound standard of care in the exercise of their clinical judgment and does not believe a patient is using or diverting a controlled substance shall not be in violation of the act for failure to query the program if they are otherwise in compliance with the act.
- Changes the search warrant requirement for schedules III-V to access upon receipt of a court order. The law enforcement agency must first demonstrate by a preponderance of the evidence that:
 - The motion pertains to a person who is the subject of an active criminal investigation with a reasonable likelihood of securing an arrest.
 - There is reasonable suspicion that a criminal act has occurred.

Any data obtained may only be used by law enforcement to obtain a search or arrest warrant.