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Government Affairs Report ***Something new from the Veto Session***

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by Jim Owen and Scott Meyers

During the fall Veto Session of the Illinois General Assembly, we actually didn't expect much of anything that dealt with pharmacy to emerge. But never say never, ever! This fall, what started out as a renewal of the Podiatry Practice Act became an amendment to the Controlled Substance Act. If the Governor signs SB772, it goes into effect on January 1st of this next year! Here's the highlights:

SB772 Revision of the Controlled Substance Act

- Mandates that all prescribers with controlled substance licenses must register with the PMP.
- Provides that each prescriber or his or her designee must attempt to access the PMP when providing initial prescriptions for Schedule II narcotics such as opioids, except for prescriptions for the following:
 - Oncology treatment
 - Palliative Care
 - 7-day or less supply from a hospital emergency room when treating acute, traumatic medical condition.
- The Department will send unsolicited 3-3-1 reports to involved pharmacies whenever they are sent to prescribers. (3-3-1 Reports are generated when any patient sees three prescribers and visits three different pharmacies in one 30-day period for one controlled substance.)
- The attempts to access the PMP must be documented in the patient medical record.
- The hospital must facilitate the designation of the prescriber's designee for the purpose of accessing the PMP for services provided in the hospital.
- Within one year of the effective date of the Act, the Department of Human Services shall adopt rules requiring all electronic health records to interface with the PMP before January 1, 2021. These rules shall also address the electronic integration of pharmacy records with the PMP to allow for faster transmission of information.
- The Department shall establish actions to be taken if a prescriber's electronic health record does not interface with the PMP.

This action may be the first step in expanding the use of the PMP for all medications in the future, with access to all patient electronic records and all pharmacy records. It will be interesting too to see how the State monitors and enforces compliance with the prescriber requirement to register.

The PMP is a valuable tool if used correctly by both prescribers and pharmacists. We look forward to reviewing the rules and hearing from the Department of Human Services as the law is implemented, provided that it is signed by Governor Rauner.

Make sure you read the November Board of Pharmacy Highlights in this month issue of *KeePosted* too to receive even more important regulatory updates!

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