



## SB 79 & HB 159

### Opioids; Prescriptions; Database; Licenses

#### FREQUENTLY ASKED QUESTIONS

**Q: Which licensed professions are affected by this bill?**

A: SB79 pertains to all licensed professions that have the authority to prescribe or dispense medication: Pharmacists, physicians, physician assistants, advanced practice registered nurses, optometrists, dentists, and veterinarians.

**Q: How does the proposed 7-day supply limit on opioid prescriptions affect patients in rural communities?**

A: The bill allows a practitioner to exceed the seven-day supply limit if the patient is unable to access a practitioner during that time because of a logistical or travel barrier. The practitioner must document the reason for this treatment in the patient's medical record and ensure that a nonopioid alternative was not appropriate to treat the patient's condition.

**Q: How does the proposed 7-day supply limit on opioid prescriptions affect patients with chronic pain?**

A: The bill defers to the practitioner's professional judgement to make this determination. The practitioner must document the reason for this treatment in the patient's medical record and ensure that a nonopioid alternative was not appropriate to treat the patient's condition.

**Q: Are pharmacists required to check the PDMP prior to filling a prescription?**

A: No. The PDMP was originally adopted by the legislature and signed into law in 2008. A 2016 amendment was made to clarify that practitioners (i.e., prescribers) would also be subject to disciplinary action for not reviewing the database prior to prescribing; this does not mean that pharmacists must review the database as part of their job. The critical language in AS 17.30.200(e) is "as required under this section." Thus, the "review of the database" relates to practitioners (prescribers), and the "submitting of information" refers to pharmacists (dispensers). The fact that pharmacists can be considered as practitioners in the broad sense of the word, as a matter of law they do not meet the definition of practitioners for purposes of the PDMP .

**Q: Do practitioners receive a "red flag" in the PDMP when a patient attempts to fill multiple Schedule II or III prescriptions within a short window of time?**

A: The system populates an alert based on the threshold established by the Board of Pharmacy. This threshold is defined as a patient recording five prescribers or five dispensers within a three-month period—sometimes referred to as 5/5/3. This alert is to raise awareness of a trend for further clinical review—not to make assumptions that a patient is "doctor shopping" or to place blame on a provider.

**Q: Is a practitioner's licensing board alerted when he or she is overprescribing?**

A: The Board of Pharmacy may contact a practitioner's licensing board when a licensee's prescribing practices are outside of generally recognized standards of safe practice. In addition to the proposed seven-day limit established in this bill, the Board of Pharmacy may define these standards in policy in order to implement this section. SB79 also adds a confidential feature to the PDMP that serves to inform the individual practitioner where he or she is, as a prescriber, in relationship to his or her peers in prescribing Schedule II or III drugs—much like how students' standardized scores are presented and reviewed in an educational setting.

**Q: Must veterinarians review the PDMP before dispensing controlled substances to pet owners?**

A: Yes. This legislative change was made in 2016. SB79 adds the requirement to the Board of Veterinary Examiners to develop educational materials to assist licensees in identifying animal owners who may be at risk for abusing or misusing an opioid and allows the board to discipline a license of a person who has procured, sold, or dispensed drugs in violation of a law. (This disciplinary provision is provided to all licensing boards that regulate professions that prescribe or dispense medication.)

*This document has been prepared in collaboration with the Department of Law and the Department of Health and Social Services. Please check the bill documents at [www.akleg.gov](http://www.akleg.gov) for updates. Questions about this FAQ may be directed to [sara.chambers@alaska.gov](mailto:sara.chambers@alaska.gov).*