



AN ACT PERMITTING A QUERY OF THE PRESCRIPTION DRUG REGISTRY PRIOR TO PRESCRIBING A SCHEDULE II OR SCHEDULE III DRUG FOR TREATMENT OF A WORKERS' COMPENSATION INJURY OR OCCUPATIONAL DISEASE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Schedule II and III drugs -- prescriber obligation. (1) In order to ensure high-quality health care for an individual with a compensable occupational injury or disease, prescriptions for Schedule II or Schedule III drugs identified in Title 50, chapter 32, part 2, may be carefully monitored for potential abuse, dependence, interaction, and diversion. Ongoing prescriptions for Schedule II and Schedule III drugs may be prescribed only by a treating physician.

(2) (a) A treating physician authorized to prescribe prescription drugs may query the prescription drug registry provided for in Title 37, chapter 7, part 15, prior to the initial prescribing or refilling of a Schedule II or Schedule III drug for treatment of a workers' compensation injury or occupational disease. After consulting the prescription drug registry, a treating physician may decline to prescribe or refill a Schedule II or Schedule III drug if, in the treating physician's judgment, the drug should not be prescribed or refilled.

(b) Prior to the initial prescribing of a Schedule II or Schedule III drug, a treating physician may discuss the risks and benefits of the use of the controlled substance, including risk of tolerance and drug dependence, with the patient or the patient's legal guardian.

(c) A treating physician shall note in the patient's medical file each query conducted.

(3) This section does not apply to a health care provider administering a Schedule II or Schedule III drug under the following circumstances:

- (a) immediately prior to or after surgery;
- (b) at the scene of an emergency;
- (c) in a licensed ambulance; or
- (d) in the emergency department or intensive care unit of a licensed hospital.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 39, chapter 71, part 11, and the provisions of Title 39, chapter 71, part 11, apply to [section 1].

Section 3. Effective date. [This act] is effective July 1, 2013.

- END -

I hereby certify that the within bill,
SB 0323, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2013.

Speaker of the House

Signed this _____ day
of _____, 2013.

SENATE BILL NO. 323

INTRODUCED BY F. THOMAS

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