

## OPIOID ABUSE AND TREATMENT

### LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

**Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.**

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### Background Materials and Research

**Topic Summary:** As public awareness of prescription drug abuse has grown over the years, much of the attention has focused on opioid pain relievers. Opioids are synthetic versions of the opium poppy and produce effects similar to opium, including pain relief and sedation. Examples of prescription opioids include morphine, oxycodone, hydrocodone, and fentanyl. With the growing awareness of the addictive nature of the drugs and the potential for their abuse, states have undertaken efforts to reduce illegal use and abuse of the drugs. For instance, all states now have prescription drug monitoring programs. These programs compile information on all opioids prescribed to individuals and make the information available to prescribers. The idea of creating a prescription drug registry first surfaced in the Montana Legislature in 2007 but was not approved until 2011, following a study by a Prescription Drug Advisory Council appointed by then-Attorney General Steve Bullock.

The 2013 Legislature approved a study of prescription drug abuse, which was carried out by the Children, Families, Health, and Human Services Interim Committee in 2013 and 2014. Other groups began looking at the issue at the same time, including the Montana Medical Association. Subsequent legislatures have continued to fine tune state policy related to opioid abuse. Proposals have ranged from requiring prescribers to use the prescription drug registry before prescribing opioids to limiting the duration of opioid prescriptions, creating new fees for opioid distributors, and supporting a new treatment known as medication-assisted treatment.

### Legislative Services Division Materials:

- [Senate Joint Resolution 20 Study Materials](#) (2013-2014 Interim)  
(Links to all materials presented by legislative staff, agency representatives, and other speakers)
  - [Final Report on the SJR 20 Study](#) (see pages 19-30)

## Legislative Audit Division Materials

- Information System Audit: [The Montana Prescription Drug Registry](#)
  - [Audit Follow-Up](#), June 2021

## State Agency Materials

- Department of Revenue: [Opioid Seller's License Website](#)
- Board of Pharmacy:
  - [Board Website](#) (choose MPDR link from menu on left of page)
  - MPDR Interim Reports
    - [2022](#)
    - [2020](#)
    - [2018](#)
    - [2016](#)

## Other Materials

- [Know Your Dose](#), Montana Medical Association
- National Conference of State Legislatures:
  - [Prescribing Policies: States Confront Opioid Overdose Epidemic](#), June 30, 2019
  - [Opioids: Lessons Learned from the States](#), Videotaped Session from 2018 Legislative Summit
  - [Preventing Opioid Misuse: Legislative Trends and Predictions](#), January 31, 2017
- [Overdose Death Rates](#), National Institute on Drug Abuse
- [National Alliance of Model State Drug Laws](#)
- [National Drug Control Strategy: 2022](#), Office of National Drug Control Policy, January 2019

## Introduced Legislation

**Note:** A status of "Chapter Number Assigned" means the bill was passed by the Legislature, approved by the governor, and became law.

**2021:** None

### **2019**

[House Bill No. 86](#) (Chapter Number Assigned) -- AN ACT GENERALLY REVISING PRESCRIPTION DRUG LAWS; PROVIDING FOR THE POSITIVE IDENTIFICATION OF POTENTIAL RECIPIENTS OF CONTROLLED SUBSTANCES; RESTRICTING PRESCRIPTIONS FOR OPIOID-NAIVE PATIENTS TO A 7-DAY SUPPLY AND PROVIDING EXCEPTIONS; REQUIRING CERTAIN PROFESSIONALS WHO PRESCRIBE OR DISPENSE PRESCRIPTION DRUGS TO REGISTER TO USE THE PRESCRIPTION DRUG REGISTRY; REQUIRING A PRESCRIBER OR AUTHORIZED AGENT TO REVIEW THE PRESCRIPTION DRUG REGISTRY BEFORE PRESCRIBING AN OPIOID OR A BENZODIAZEPINE TO A PATIENT AND PROVIDING EXCEPTIONS; PROVIDING PENALTIES; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 37-2-101 AND 37-7-1503, MCA; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE.

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[House Bill No. 419](#) (Tabled in House Committee) -- AN ACT REQUIRING PRESCRIBER COUNSELING RELATING TO OPIOID-CONTAINING PRESCRIPTIONS; AND AMENDING SECTION 37-2-101, MCA

[House Bill No. 654](#) (Chapter Number Assigned) -- AN ACT GENERALLY REVISING LAWS FOR FUNDING FOR TREATMENT COURTS; REQUIRING LICENSING OF OPIOID SELLERS; PROVIDING RULEMAKING AUTHORITY TO THE DEPARTMENT OF REVENUE; CREATING A TREATMENT COURT SUPPORT SPECIAL REVENUE ACCOUNT FOR DEPOSIT OF OPIOID TAX PROCEEDS; REQUIRING THE COURT ADMINISTRATOR TO ESTABLISH PROCEDURES TO DISTRIBUTE ACCOUNT FUNDS; PROVIDING PRIORITIES, ELIGIBLE RECIPIENTS, AND USES FOR ACCOUNT FUNDS; PROVIDING AN APPROPRIATION; AMENDING SECTION 3-1-702, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill No. 61](#) (Chapter Number Assigned) -- AN ACT REVISING THE MONTANA PRESCRIPTION DRUG REGISTRY; MAKING REGISTRATION MANDATORY; AUTHORIZING DATA INTEGRATION; PROVIDING RULEMAKING AUTHORITY; APPLYING THE REGISTRY FEE TO ADDITIONAL LICENSEES; REMOVING THE CAP AND THE TERMINATION DATE ON THE REGISTRY FEE; AMENDING SECTIONS 37-7-101, 37-7-1503, 37-7-1506, AND 37-7-1511, MCA; REPEALING SECTION 20, CHAPTER 241, LAWS OF 2011, SECTION 2, CHAPTER 357, LAWS OF 2015, AND SECTIONS 1 AND 2, CHAPTER 13, LAWS OF 2017.

[Senate Bill No. 280](#) (Died in Senate Committee) -- AN ACT CREATING THE "ENSURING ACCESS TO HIGH-QUALITY CARE FOR THE TREATMENT OF SUBSTANCE USE DISORDERS ACT"; REQUIRING INSURANCE AND MEDICAID COVERAGE OF MEDICATION-ASSISTED TREATMENT; ESTABLISHING REQUIREMENTS FOR ASSESSMENTS BY SUBSTANCE USE DISORDER TREATMENT FACILITIES; AMENDING SECTIONS 2-18-704, 33-1-501, 33-22-201, 33-22-502, 33-31-111, 33-35-306, 50-5-103, 50-5-207, 53-6-101, AND 53-24-208, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill No. 322](#) (Tabled in Senate Committee) -- AN ACT REQUIRING A LICENSE ENDORSEMENT FOR WHOLESALE PRESCRIPTION DRUG DISTRIBUTORS WHO BRING OPIOID DRUGS INTO MONTANA; ESTABLISHING AN ENDORSEMENT FEE; PROVIDING FOR USE OF THE FEE; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTIONS 37-7-324 AND 37-7-605, MCA.

### **2017**

[House Bill No. 323](#) (Chapter Number Assigned) -- AN ACT ALLOWING A SCHOOL TO MAINTAIN A STOCK SUPPLY OF AN OPIOID ANTAGONIST TO BE USED IN THE EVENT OF AN ACTUAL OR PERCEIVED OPIOID OVERDOSE EMERGENCY; LIMITING GOVERNMENTAL LIABILITY; AND PROVIDING AN EFFECTIVE DATE.

[House Bill No. 409](#) (House 3<sup>rd</sup> Reading Failed) -- AN ACT LIMITING MEDICAL PRACTITIONERS WITH PRESCRIPTION AUTHORITY FROM WRITING MORE THAN A 7-DAY SUPPLY OF OPIOIDS ON A FIRST PRESCRIPTION WITH CERTAIN CONDITIONS AND EXCEPTIONS; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTION 37-2-101, MCA.

### **2015**

[Senate Bill No. 8](#) (Chapter Number Assigned) -- AN ACT ALLOWING PRESCRIBING OF CERTAIN PRESCRIPTION DRUGS BY ELECTRONIC MEANS; AMENDING SECTIONS 50-31-307, 50-31-308, AND 50-32-208, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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[Senate Bill No. 9](#) (Senate 3<sup>rd</sup> Reading Failed) -- AN ACT ALLOWING HEALTH CARE PROVIDERS TO REPORT CERTAIN INFORMATION TO LAW ENFORCEMENT; PROVIDING IMMUNITY; AND AMENDING SECTIONS 50-16-530, 50-16-531, ~~50-16-805~~, AND 50-16-817, MCA.

### **2013**

[Senate Joint Resolution No. 20](#) (Filed with Secretary of State) -- A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF PRESCRIPTION DRUG ABUSE AND THE EFFECTS OF THE ABUSE ON MONTANANS.

### **2011**

[House Bill No. 83](#) (Chapter Number Assigned) -- AN ACT CREATING A PRESCRIPTION DRUG REGISTRY; PROVIDING DEFINITIONS; ESTABLISHING PRESCRIPTION DRUG REPORTING REQUIREMENTS; PROVIDING FOR THE USE OF PRESCRIPTION DRUG REGISTRY INFORMATION; PROVIDING FOR FEES TO FUND THE PROGRAM; ALLOWING SANCTIONS AND PENALTIES; PROVIDING FOR IMMUNITY; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 37-7-101, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE.

[Senate Bill No. 210](#) (Chapter Number Assigned) -- AN ACT MAKING IT A CRIMINAL OFFENSE FOR A PERSON TO OBTAIN OR ATTEMPT TO OBTAIN A DANGEROUS DRUG BY MAKING CERTAIN COMMUNICATIONS WITH A PERSON AUTHORIZED TO WRITE PRESCRIPTIONS FOR OR DISPENSE DANGEROUS DRUGS; AND AMENDING SECTIONS 26-1-805 AND 45-9-104, MCA.

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