

House Bills 439; 569; 502 & 503 Senate Bill 1309

HB No. 439 - Amends section 37-2726, Idaho Code, to revise provisions relating to those individuals and entities that may access the controlled substances prescriptions database; provide for violations and penalties relating to the failure to safeguard certain user accounts, login names, and passwords; to provide that the board may block certain access; and amending section 37-2730A, Idaho Code, to clarify that the board may provide unsolicited reports to pharmacists and practitioners.

HB No. 502 – The Board initiated several changes to the schedules of controlled substances in sections 37-2705 through 37-2713, Idaho Code, which included mimicking recent changes to the DEA’s schedule of carisoprodol; additionally, the 2011 language that scheduled the known ingredients “Spice” was strengthened to include more substances; and chorionic gonadotropin (hcg) was descheduled.

HB No. 503 – Amends section 54-1733, Idaho Code, to provide for an exception and to establish circumstances where a prescriber may perform certain activities for a patient with whom the prescriber does not have a prescriber-patient relationship. Seven exceptions listed by the bill include: 1) writing admission orders for a newly hospitalized patient 2) writing a prescription for a patient of another prescriber for whom the prescriber is taking the call 3) writing a prescription for a patient by another licensed practitioner with whom the prescriber has a supervisory relationship 4) writing a prescription for a medication on a short term basis for a new patient prior to the patient’s first appointment 5) in an emergency situation where life or health of the patient is in imminent danger 6) in emergencies that constitute an immediate threat to the public health and 7) if a prescriber makes a diagnosis of a sexually transmitted disease in a patient, the prescriber may prescribe or dispense antibiotics to the infected patient’s named sexual partner or partners for treatment of sexually transmitted disease.

HB No. 569 – Amends section 37-2726 to further clarify that PMP data submission is only required for human dispensing and not animal dispensing

SB No. 1309 – Section 37-3303, Idaho Code, was amended to revise provisions relating to maximum quantities of pseudoephedrine that can be purchased, to provide that retailers use an electronic tracking system in the sale of pseudoephedrine products, to provide exemptions for retailers, and to define a term. Chapter 33 Title 37, Idaho Code, was amended by adding a new section, 37-3303A. The Board is tasked with implementing a real-time electronic sales tracking system to monitor the non-prescription sale of PSE products. The system must also record purchase data required by federal law. The electronic system must be capable of generating stop sale alerts, for quantities in excess of the legal limits, and a retailer must not sell PSE products if receiving a stop sale alert. Access to the electronic system must be free of charge. The Board may provide a retailer exemption in extremely limited situations. This new section also provides for use of records gathered; authorizes the Board of Pharmacy to promulgate and enforce rules; and to limit the liability of retailers.