Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

HOUSE BILL NO. 1149
(Representative Keiser)
(Senators Anderson, J. Lee)

AN ACT to amend and reenact sections 19-03.5-09 and 19-03.5-10 of the North Dakota Century Code, relating to adoption of administrative rules governing use of the prescription drug monitoring program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 19-03.5-09 of the North Dakota Century Code is amended and reenacted as follows:

19-03.5-09. Authority to adopt rules - Rules adopted by professional licensing boards.

1. The state board of pharmacy may adopt rules that set forth the procedures and methods for implementing the prescription drug monitoring program under this chapter.

2. Each professional licensing board that is responsible for the licensing of individuals authorized to prescribe or dispense controlled substances for human consumption shall adopt rules under chapter 28-32 to require licensed individuals under that board's jurisdiction who prescribe or dispense controlled substances to humans to utilize the prescription drug monitoring program. In drafting rules required under this subsection, each professional licensing board shall consult with the state board of pharmacy, the other boards required to adopt rules under this subsection, and the advisory council in order to maximize the uniformity among the rules for each profession. All or any of the professional licensing boards subject to the rulemaking requirement of this subsection may conduct a joint rulemaking proceeding under chapter 28-32 to implement rules required by this subsection.

SECTION 2. AMENDMENT. Section 19-03.5-10 of the North Dakota Century Code is amended and reenacted as follows:

19-03.5-10. Reporting unlawful acts and penalties.

1. The board may report to a dispenser's licensing board any dispenser who knowingly fails to submit prescription drug monitoring information to the board as required by this chapter or by administrative rule or who knowingly submits incorrect prescription information to the board.

2. A person, including a vendor, ~~who~~that uses or discloses prescription drug monitoring information in violation of this chapter is subject to the penalty provided in section 12.1-13-01.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1149.

House Vote:	Yeas 91	Nays 0	Absent 3
Senate Vote:	Yeas 47	Nays 0	Absent 0

Chief Clerk of the House

Received by the Governor at 8:25 A.M. on March 25, 2015.

Approved at 1:17 P.M. on March 26, 2015.

Governor

Filed in this office this 26th day of March, 2015, at 3:04 o'clock P M.

Secretary of State