

SPONSOR: Sen. Townsend & Rep. Bentz
Sens. Hansen, Hocker, Lopez; Reps. Briggs King,
Heffernan, Hudson, Keeley, Miro, Paradee, K. Williams

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE BILL NO. 44
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 4798(u), Title 16 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

~~(u) All prescribers who hold a registration pursuant to § 4732 of this title shall register with the Prescription Monitoring Program on or before January 1, 2014. All dispensers located in the State of Delaware that hold a registration pursuant to § 4732 of this title shall ensure that all pharmacists dispensing at the registrant's place of business are registered with the Prescription Monitoring Program on or before January 1, 2014. A violation of this subsection may serve as a basis for discipline pursuant to § 4735 of this title.~~

(u) A prescriber who holds a controlled substance registration issued pursuant to § 4732 of this title must be registered with the Prescription Monitoring Program. A prescriber who is issued a controlled substance registration for the first time shall register with the Prescription Monitoring Program within 90 days of issuance. Failure to comply with this subsection may result in disciplinary action pursuant to § 4735 of this title.

Section 2. Amend § 4798(d), Title 16 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

(d) A dispenser including those dispensing an amount deemed medically necessary for a 72-hour supply, shall submit the required information regarding each prescription dispensed for a controlled substance, in accordance with the transmission methods and frequency established by regulation issued by the Office of Controlled Substances. When needed for bona fide research purposes and in accordance with applicable regulation, the Office of Controlled Substances may require a dispenser to submit the required information regarding each prescription dispensed for a drug of concern, but in no event should dispensers be required to submit such information any more frequently than that required for controlled substances. The following information shall be submitted for each prescription:

(1) Pharmacy name;

(2) Dispenser DEA registration number;

(3) Dispenser National Provider Identifier (NPI);

~~(3)~~ (4) Date drug was dispensed;

~~(4)~~ (5) Prescription number;

~~(5)~~ (6) Whether prescription is new or a refill;

~~(6)~~ (7) NDC code for drug dispensed;

~~(7)~~ (8) Quantity dispensed;

~~(8)~~ (9) Approximate number of days supplied;

~~(9)~~ (10) Patient name and date of birth;

~~(10)~~ (11) Patient address;

~~(11)~~ (12) Prescriber DEA registration number and name;

(13) Prescriber NPI;

~~(12)~~ (14) Date prescription issued by prescriber.