ALABAMA

Controlled Substances List

Proposed rule of the Department of Public Health amends regulations under AAC 420-7-2, Appendix, regarding the controlled substances list. The rule reschedules Alprazolam to Schedule II, all benzodiazepines and Zolpidem to Schedule III, and Pregabalin to Schedule IV due to potential for abuse as recommended by the State Board of Medical Examiners. A hearing is scheduled for Dec. 13, 2016, in Montgomery. Comments are due Jan. 4, 2017. Contact: Michele Jones; DPH; 334-206-5200

DISTRICT OF COLUMBIA

Schedules I, II and IV Controlled Substances

Final rule of the Department of Health amends regulations under 22B DCMR 1201, 1202 and 1204 to update the lists of Schedules I, II and IV controlled substances. The rule adds specified cannabimimetic drugs that have no legitimate medical use. The rule is effective Dec. 2, 2016. Contact: Angli Black; DOH, Office of the General Counsel; 202-442-5977

FLORIDA

Prescription Drug Monitoring Program Database

Notice of the Department of Health, Prescription Drug Monitoring Program, announces the withdrawal of a July 25, 2016, proposed rule that would have amended regulations under FAC 64K-1.003 regarding the prescription drug monitoring program database. The rule would have provided for designee and impaired practitioner consultant access to the program database on behalf of prescribers and dispensers. The rule also would have updated and added forms and training courses. Contact: Rebecca Poston; DOH, Prescription Drug Monitoring Program; 850-245-4797; Rebecca.Poston@FLHealth.gov

GEORGIA

Donated Drug Repository Program

Proposed rule of the Department of Public Health adopts regulations under GAC 511-5-12 to implement the Donated Drug Repository Program to allow authorized entities to accept and dispense donated over-the-counter and prescription drugs. The rule sets forth criteria for donated drugs and for eligible patients to receive donated drugs, including priorities for patients who are indigent, uninsured or overinsured, or enrolled in a public assistance health benefits program. The rule also establishes requirements for storage and dispensing donated drugs, recordkeeping and handling fees. A hearing is scheduled for Dec. 28, 2016, in Atlanta. Comments are due Dec. 28, 2016. Contact: Sidney Barrett; DPH; 404-657-2700

Controlled Substances/Naloxone

Emergency rule of the State Board of Pharmacy adopts regulations under GAC 480-34-0.31-.11 to remove the pharmaceutical naloxone from the list of dangerous drugs under the state Dangerous Drugs Act and place it on the Schedule V controlled substances list. The rule also allows pharmacists, pharmacy interns and pharmacy externs, under the supervision of a licensed pharmacist, to dispense naloxone as a prescription under specified circumstances. In addition, the rule sets forth recordkeeping requirements. The rule is effective Dec. 14,
**IDAHO**

**Schedule II Controlled Substances**

Notice of the Board of Pharmacy announces a pending rule that amends regulations under IDAPA 27.01.01.114 to revise requirements for Schedule II controlled substances to comply with federal law. The rule allows patients to receive fewer Schedule II controlled substance pills than written by a prescriber while not forfeiting the balance if picked up within a certain time frame. The rule is effective upon adjournment of the legislature unless it is rejected, amended or modified by the legislature. Contact: Alex Adams; Board of Pharmacy; 208-334-2356; alex.adams@bop.idaho.gov

**Pharmacy Standards**

Notice of the Board of Pharmacy announces a pending rule that amends regulations under IDAPA 27.01.01.011 through .635 (nonconsecutive) regarding pharmacy standards. The rule expands the types of facilities at which emergency medication kits can be housed to include specialty infusion clinics and allows regional behavioral health clinics to donate and receive donated medications to dispense to medically indigent patients. The rule also allows delegate access to the Prescription Monitoring Program, exempts investigational drugs and patient assistant drugs from the products that require registration as a prescriber drug outlet, and allows prescription medications to be labeled in the name of an authorized entity. In addition, the rule provides that pharmacies may list an expiration date that coincides with the original manufacturer’s expiration date. The rule is effective upon adjournment of the legislature unless it is rejected, amended or modified by the legislature. Contact: Alex Adams; Board of Pharmacy; 208-334-2356; alex.adams@bop.idaho.gov

**INDIANA**

**Controlled Substances/Synthetic Drug Compounds**

Emergency rule of the Board of Pharmacy amends regulations under 856 IAC 2-2-2 to add the synthetic drug compound Etizolam to the list of Schedule I controlled substances. The rule is effective Jan. 6, 2017. Contact: Board of Pharmacy; 317-234-2067

**IOWA**

**Real-Time Electronic Pseudoephedrine Tracking System**

Proposed rule of the Board of Pharmacy amends regulations under 657 IAC 10.32 and 100.1 through 100.5 concerning controlled substances and the Real-Time Electronic Pseudoephedrine Tracking System. The rule authorizes pharmacy technicians to approve a purchase under the direct supervision of a pharmacist and deletes references to the discontinued Pseudoephedrine Advisory Council. Comments are due Jan. 10, 2017. Contact: Terry Witkowski; Board of Pharmacy; 515-281-6676; terry.witkowski@iowa.gov

**KENTUCKY**

**Schedule I Controlled Substances**

Proposed rule of the Cabinet of Health and Family Services, Office of Inspector General, amends regulations under 902 KAR 55:015 to replace (dimethylamino) cyclohexyl with U-47700 (3,4-dichloro-N-N-methyl-benzamide) on the list of Schedule I controlled substances. The rule also provides that any drug temporarily scheduled or designated at the federal level as a Schedule I controlled substance also is considered to be controlled at the state level as a Schedule I controlled substance. A concurrent emergency rule adopts the changes, effective Nov. 15, 2016, and expiring May 14, 2017. A hearing is scheduled for Dec. 21, 2016, in Frankfort. Comments are due Dec. 31, 2016. Contact:
LOUISIANA

Drug and Device Distributors, Wholesale Distributors, Third-Party Logistics Providers

Final rule of the Department of Health, Board of Drug and Device Distributors, amends regulations under 46 LAC XCI.103 through .801 (nonconsecutive) and adopts regulations under 46 LAC XCI.1301 through .1303, .1501 and .1503 regarding drug and device distributors, wholesale distributors and third-party logistics providers. The rule revises provisions concerning exemptions; licensing, renewal and reinstatement requirements; required information; qualifications; personnel; storage and handling requirements; recordkeeping; fees; and policy and procedures for drug and device distributors. The rule also establishes provisions concerning licensure requirements, returns, requests for information and verification requirements for wholesale distributors. In addition, the rule sets forth general and federal reporting requirements for wholesale distributors and third-party logistics providers. The rule is effective Dec. 20, 2016. Contact: Kimberly Barbier; DOH, Board of Drug and Device Distributors; 225-295-8567; k.barbier@Lsbwdd.org

NEW JERSEY

Controlled Dangerous Substances/Fentanyl Analogs

Notice of the Division of Consumer Affairs, Office of the Director, announces an order adding seven fentanyl analogs to Schedule I under the Controlled Dangerous Substances Act, effective Sept. 27, 2016. A hearing is scheduled for Dec. 20, 2016, in Newark. Comments are due Dec. 15, 2016. Contact: Steve Lee; Division of Consumer Affairs; 973-504-6200

NEW MEXICO

Disclosure of Prescription Information

Final rule of the Board of Pharmacy amends regulations under 16.19.29.2, 16.19.29.7, 16.19.29.9 and 16.19.29.12 NMAC regarding disclosure of prescription information. The rule allows designated delegates of a practitioner or pharmacist to designate up to four delegates for requesting and receiving prescription monitoring program (PMP) reports for the practitioner or pharmacist. The rule also requires the practitioner or pharmacist to notify the PMP within 10 days of a delegate's authorization ending. In addition, the rule allows the board to provide PMP information to licensed health care professionals from Medicare, health insurers, workers compensation program/insurers and pharmacy benefit managers for persons enrolled in, or covered by their programs, as part of patient care. Finally, the rule adds definitions for “delegate” and “patient.” The rule is effective Nov. 27, 2016. Contact: Ben Kesner; Board of Pharmacy; 505-222-9835; kkesner@nm.gov

NEW HAMPSHIRE

Opioid Prescribing

Final rule of the Office of Professional Licensure and Certification, Board of Medicine, amends regulations under NHAR Med 502.01 through .07 regarding opioid prescribing. The rule requires licensees to conduct a risk assessment, to document a pain treatment plan, and to use informed consent agreements for acute and chronic pain. The rule also specifies that noncompliance may result in disciplinary action and specifies a 30-day time frame within which patients must be reexamined by licensees before new opioid prescriptions can be written for unresolved and chronic pain. In addition, the rule clarifies when licensees are exempt from the Prescription Drug Monitoring Program. The rule is effective Jan. 1, 2017. Contact: Robert Lambert; OPLC; 603-271-3103; Robert.lambertirj@nh.gov
Notice of the of the Board of Pharmacy announces a hearing on a June 8, 2016, proposed rule to adopt regulations under NHAR Ph 602 regarding medical gases. The rule requires medical gas suppliers to apply for a wholesale drug distributor license with a medical gas supplier endorsement and establishes a registration fee of $150. The rule also requires a prescription for fulfillment of medical gas orders and sets forth medical gas labeling, recordkeeping and security requirements. The hearing is scheduled for Dec. 21, 2016, in Concord. Comments are due Dec. 27, 2016. Contact: Robert Lamberti; Board of Pharmacy; 603-271-3103; Robert.lambertijr@nh.gov

NEW JERSEY

Prescription Monitoring Program

Final rule of the Department of Law and Public Safety, Division of Consumer Affairs, adopts regulations under NJAC 13:45A-35.1 through .11 regarding the prescription monitoring program (PMP), an electronic database of information about controlled dangerous substances (CDS) dispensed in outpatient settings. The rule requires state-licensed pharmacies to collect and electronically submit, on a daily basis, specified information about prescriptions filled for Schedule II, III, IV, or V CDS and human growth hormone and requires pharmacies that do not engage in such activities to obtain an exemption from the reporting requirements. The rule also requires registered out-of-state pharmacies to submit information about such prescriptions that are shipped, mailed, distributed or delivered into the state. In addition, the rule establishes standards and procedures regarding access to the database and sets forth a mandatory look-up requirement and exceptions to that requirement. Finally, the rule establishes recordkeeping requirements and provisions regarding professional misconduct. The rule is effective Nov. 7, 2016. Contact: Steve Lee; DLPS, Division of Consumer Affairs; 973-504-6351

OREGON

Prescription Drug Monitoring Program

Proposed rule of the Oregon Health Authority, Public Health Division, amends regulations under OAR 333-023-0805 and -0820 and adopts regulations under OAR 333-023-0830 regarding the Prescription Drug Monitoring Program (PDMP). The rule allows authorized practitioners or pharmacists and their delegates to access PDMP information through health information technology systems. A hearing is scheduled for Dec. 19, 2016, in Portland. Comments are due Dec. 23, 2016. Contact: Brittany Hall; OHA, Public Health Division; 971-673-1291

TENNESSEE

Controlled Substances

Proposed rule of the Department of Mental Health and Substance Abuse Services, Division of Substance Abuse Services, repeals and readopts regulations under RRT 0940-06-01-.01 through -.13 regarding the list of controlled substances. The rule updates the controlled substances in Schedules I through VII and addresses excluded substances, including nonnarcotic substances, chemical preparations, anabolic steroid products and veterinary anabolic steroid implant products, certain prescription products and cannabis plant materials. A hearing is scheduled for Jan. 4, 2017, in Nashville. Comments are due Dec. 19, 2016. Contact: Kurt Hippel; DMHSAS, Division of Substance Abuse Services; 615-532-6520; Kurt.Hippel@tn.gov

Pharmacy and Technology/Automated Drug Distribution Devices

Notice of the Department of Health, Pharmacy Quality Assurance Commission, announces changes to an Aug. 3, 2016, proposed rule to adopt regulations under WAC 246-874-010 through -070 and repeal regulations under WAC 246-869-120 and -872-010 through -050 regarding pharmacy and technology, including automated drug distribution devices (ADDDs). The rule sets forth requirements for
installing and operating ADDDs; specifies supervision, access, security, recordkeeping, accountability and quality assurance standards; and eliminates the requirement for commission approval for use of ADDDs. The changes remove the proposed definition for “emergency medications” and provisions under WAC 246-869-120 concerning mechanical devices in hospitals. A hearing is scheduled for Jan. 5, 2017, in Seattle. Comments are due Dec. 21, 2016. Contact: Tracy West; DOH, Pharmacy Quality Assurance Commission; 360-236-4988; tracy.west@doh.wa.gov

TEXAS

Dentists/Prescribing Controlled Substances and Dangerous Drugs

Final rule of the State Board of Dental Examiners adopts regulations under 22 TAC 111.1 regarding standards for prescribing controlled substances and dangerous drugs. The rule requires dentists permitted to prescribe controlled substances to complete two hours of continuing education in controlled substances every three years. The rule is effective Dec. 25, 2016. Contact: Tyler Vance; SBDE; 512-475-0977; rulecomments@tsbde.texas.gov

Dentists/Prescription Management Program

Final rule of the State Board of Dental Examiners adopts regulations under 22 TAC 111.2 regarding self-query of the Prescription Management Program. The rule requires dentists permitted to prescribe controlled substances to conduct one self-query per year through the Prescription Monitoring Program. The rule is effective Dec. 25, 2016. Contact: Tyler Vance; SBDE; 512-475-0977; rulecomments@tsbde.texas.gov

WISCONSIN

Controlled Substances/Beta-Hydroxythiofentanyl, Butyryl Fentanyl

Proposed rule of the Department of Safety and Professional Services, Controlled Substances Board, adopts regulations under WAC CSB 2.41 to classify the synthetic opioids beta-hydroxythiofentanyl and butyryl fentanyl as Schedule I controlled substances to reflect federal scheduling of the substances. Comments are due Jan. 12, 2017. Contact: Sharon Henes; DSPS; 608-261-2377; Sharon.Henes@wisconsin.gov

Controlled Substances/U-47700

Notice of the Department of Safety and Professional Services, Controlled Substances Board, announces an order to adopt regulations under WAC CSB 2.49 to classify the synthetic opioid U-47700 as a Schedule I controlled substance to reflect federal scheduling of the substance. The order is effective Dec. 19, 2016, and expires upon adoption of a final rule. Contact: Sharon Henes; DSPS; 608-261-2377; Sharon.Henes@wisconsin.gov