**The National Association of State Controlled Substances Authorities**

**State Regulatory Developments**

**August 2016**

**2, 4, 5, 10, 12, 18, 19, 25, 26, 30, 31**

**CONNECTICUT**

**Medical Marijuana/Debilitating Medical Conditions** - Final rule of the Department of Consumer Protection adopts regulations under RCSA 21a-408-12a regarding palliative use of medical marijuana. The rule establishes six debilitating medical conditions for which the palliative use of medical marijuana is allowed: sickle cell disease, post laminectomy syndrome with chronic radiculopathy, severe psoriasis and psoriatic arthritis, amyotrophic lateral sclerosis, ulcerative colitis and complex regional pain syndrome. The rule is effective March 4, 2016. Contact: Jonathan Harris; DCP; 860-713-6050; jonathan.harris@ct.gov —Connecticut Law Journal (08/02/2016)

**DELAWARE**

**Controlled Substance Advisory Committee** - Final rule of the Department of State, Controlled Substance Advisory Committee, amends Uniform Controlled Substances Act regulations regarding the requirement for pharmacists to verify the photographic identification of the receiver of a controlled substance prescription. The rule specifies that federal and military identification are acceptable photographic identification. The rule also provides an exemption from the photographic identification requirement when the recipient of the controlled substance prescription is a patient at an inpatient facility or has been discharged from an inpatient facility and is obtaining the controlled substance from the facility's outpatient pharmacy immediately upon discharge. The rule is effective Aug. 11, 2016. Contact: Christine Mast; Controlled Substance Advisory Committee; 302-774-4500 —Delaware Register of Regulations (08/01/2016)

**FLORIDA**

**Advanced Registered Nurse Practitioners/Controlled Substances Formulary** - Proposed rule of the Department of Health, Board of Nursing, adopts regulations under FAC 64B9-4.016 to implement a controlled substances formulary for advanced registered nurse practitioners. Comments are due Sept. 16, 2016. Contact: Joe Baker; DOH, Board of Nursing; 850-245-4125; Joe.Baker@flhealth.gov —Florida Administrative Weekly (08/26/2016)

**ILLINOIS**

**Compassionate Use of Medical Cannabis Patient Registry** - Proposed rule of the Department of Public Health amends regulations under 77 IAC 946.10 through .500 (nonconsecutive) and adopts regulations under 77 IAC 946.25, .35 and .315 regarding the Compassionate Use of Medical Cannabis Patient Registry. The rule adds categories of debilitating conditions, adds an eligibility category for persons diagnosed with a terminal illness, and modifies requirements for physician written certifications. The rule also modifies registration and eligibility requirements, increases fees, specifies that registry identification cards are valid for three years, and adds requirements for increasing the adequate supply of medical cannabis. In addition, the rule establishes administrative procedures of the Medical Cannabis Advisory Board. A concurrent emergency rule adopts the changes, effective Aug. 1, 2016. Comments are due Sept. 26, 2016. Contact: Elizabeth Paton; DPH, Division of Legal Services; 217-782-2043; dph.rules@illinois.gov —Illinois Register (08/12/2016)
LOUISIANA

Controlled Dangerous Substances/Furanylfentanyl - Emergency rule of the Department of Health, Office of Public Health, adopts regulations under 46 LAC LIII.2704 to add furanylfentanyl to the list of Schedule I controlled dangerous substances. The rule is effective July 29, 2016, and expires Nov. 26, 2016. Contact: DOH, Office of Public Health; 225-342-8093 —Louisiana Register (08/20/2016)

Drug and Device Distributors, Wholesale Distributors, Third-Party Logistics Providers - Proposed 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 .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. A hearing is scheduled for Sept. 27, 2016, in Baton Rouge. Comments are due Sept. 20, 2016. Contact: Kimberly Barbier; DOH, Board of Drug and Device Distributors; 225-295-8567; k.barbier@Lsbwdd.org —Louisiana Register (08/20/2016)

WASHINGTON

Optometrists/List of Approved Drugs - Final rule of the Department of Health, Board of Optometry, amends regulations under WAC 246-851-580 and -590 to add Schedule II hydrocodone combination products to the list of approved oral drugs. The rule also incorporates Schedule II drugs into the board’s guidelines for use of oral controlled substances and legend drugs. The rule is effective Aug. 21, 2016. Contact: Loralei Walker; DOH; 360-236-4947 —Washington State Register (08/17/2016)

Therapeutic Alternatives - Final rule of the Health Care Authority amends regulations under WAC 182-50-001 through -200 (nonconsecutive) to revise requirements for pharmacist therapeutic interchange of prescriptions filled for participating state purchased health care programs. The rule excepts from therapeutic interchange prescriptions antiepileptic drugs, removes the time limitation on the exception for hepatitis C drugs, and adds an exception for drugs for which the Pharmacy and Therapeutics Committee has determined therapeutic interchange is not clinically appropriate. The rule also adds and revises definitions and makes technical corrections to provisions concerning committee membership, period of appointment and duties. The rule is effective Aug. 29, 2016. Contact: Chantelle Diaz; HCA; 360-725-1842; chantelle.diaz@hca.wa.gov —Washington State Register (08/17/2016)

Pharmacist Consult Agreements - Final rule of the Board of Pharmacy amends regulations under OAC 4729-5-01 and -15, adopts regulations under OAC 4729-29-01 and -02, and rescinds regulations under OAC 4729-29-01 through -07 to update requirements for pharmacist consult agreements, which allow pharmacists to manage a patient’s drug therapy in collaboration with physicians. The rule also specifies that pharmacists may initiate and revise drug therapy pursuant to a consult agreement. The rule is effective Aug. 18, 2016. Contact: Cameron McNamee; Board of Pharmacy; 614-466-7322; cameron.mcnamee@bop.ohio.gov —Ohio Regulations (08/15/2016)
**Controlled Substances/Ioflupane** - Notice announces the intention of the Department of Safety and Professional Services, Controlled Substances Board, to amend regulations under WAC CSB 2.40 to remove [123I]ioflupane from the list of Schedule II controlled substance to conform to federal standards. A comment due date is not specified. Contact: Sharon Henes; DSPS, Division of Policy Development; 608-261-2377; Sharon.Henes@wisconsin.gov —Wisconsin Administrative Register (08/08/2016)

**Controlled Substances/Identification Records** - Final rule of the Department of Safety and Professional Services, Pharmacy Examining Board, amends regulations under WAC Phar 8.02 and adopts regulations under WAC Phar 8.13 regarding the identification card required for certain controlled substances. The rule adds an inpatient hospice to the definition of “health care facility.” The rule also specifies that the record of the name of the person the drug is dispensed or delivered to will be maintained for five years or until the name is submitted to the prescription drug monitoring program, whichever is sooner. The rule is scheduled to be effective Oct. 1, 2016. Contact: Sharon Henes; DSPS, Pharmacy Examining Board; 608-261-2377; Sharon.Henes@wisconsin.gov —Wisconsin Administrative Register (08/15/2016)

**Definitions/Controlled Substances** - Final rule of the Department of Safety and Professional Services, Pharmacy Examining Board, amends WAC Phar 1.02 and 8.07 regarding definitions and controlled substances. The rule clarifies that the definition of "pharmacy" includes out-of-state pharmacies licensed by the board. The rule also clarifies that the partial dispensing of a prescription containing a Schedule II controlled substance is allowed if the pharmacist is unable to supply the full quantity called for in an electronic or emergency oral prescription order. The rule is scheduled to be effective Oct. 1, 2016. Contact: Sharon Henes; DSPS, Pharmacy