CHAPTER 56-02-07
PRESCRIPTION DRUG MONITORING PROGRAM

Section
56-02-07-01 Optometrist Prescribers and Use of the Prescription Drug Monitoring Program
56-02-07-02 Exceptions to the Review Requirement

56-02-07-01. Optometrist prescribers and use of the prescription drug monitoring program.

Subject to the exceptions described in section 56-02-07-02, prior to the initial prescribing of any controlled substance, including samples, an optometrist authorized by the drug enforcement administration to prescribe, administer, sign for, dispense, or procure pharmaceuticals shall authorize an employee to review or personally request and review the prescription drug monitoring program report for all available prescription drug monitoring program data on the patient within the previous twelve months, and shall do all of the following:

1. Review the patient's prescription drug monitoring program data if the patient requests early refills or demonstrates a pattern of taking more than the prescribed dosage.

2. Review the patient's prescription drug monitoring program data if there is a suspicion of or a known drug overuse, diversion, or abuse by the patient.

3. Document the assessment of the patient's prescription drug monitoring program data.

4. Discuss the risks and benefits of the use of controlled substances with the patient, the patient's parent if the patient is an unemancipated minor child, or the patient's legal guardian or health care surrogate, including the risk of tolerance and drug dependence.

5. Request and review prescription drug monitoring program data on the patient if the practitioner becomes aware a patient is receiving controlled substances from multiple prescribers.

6. Request and review the patient's prescription drug monitoring program data if the prescriber has a reasonable belief the patient may be seeking the controlled substance, in whole or in part, for any reason other than the treatment of an existing medical condition.

History: Effective January 1, 2020.
General Authority: NDCC 43-13-01(5); 43-13-13
Law Implemented: NDCC 19-03.5-09; 43-13-13(2)

56-02-07-02. Exceptions to the review requirement.

An optometrist may not be required to review a patient's prescription drug monitoring program data if any of the following apply:

1. The controlled substance is prescribed or dispensed for a patient who is currently receiving hospice care.

2. The optometrist obtains a report through a board-approved risk assessment tool for health care providers that accesses patient prescription information from prescription drug monitoring program databases, analyzes the data, and provides a risk-based score that includes prescription drug monitoring program data.

3. The optometrist prescribes a controlled substance after the performance of a primary eye care procedure and no more than a seventy-two hour supply of the controlled substance is prescribed.

History: Effective January 1, 2020.
General Authority: NDCC 43-13-01(5); 43-13-13
Law Implemented: NDCC 19-03.5-09; 43-13-13(2)