

## **REGULATION 41**

### **PRESCRIPTION DRUG MONITORING PROGRAM**

- A. Pursuant to Arkansas Code Annotated §20-7-604(d), healthcare providers are encouraged to access or check the information in the controlled substance database before prescribing, dispensing, or administering medications. For purposes of this Regulation a healthcare provider is defined as a “physician” or “physician assistant”.
- B. A healthcare provider shall check the information in the Prescription Drug Monitoring Program when prescribing:
  - 1. An opioid from Schedule II or Schedule III for every time prescribing the medication to a patient; and
  - 2. A benzodiazepine medication for the first time prescribing the medication to a patient.
- C. This Regulation does not apply to the following:
  - 1. A healthcare provider administering a controlled substance:
    - i. Immediately before or during surgery;
    - ii. During recovery from a surgery while in a healthcare facility;
    - iii. In a healthcare facility; or
    - iv. Necessary to treat a patient in an emergency situation at the scene of an emergency, in a licensed ground ambulance or air ambulance, or in the intensive care unit of a licensed hospital;
  - 2. A healthcare provider prescribing or administering a controlled substance to:
    - i. A palliative care or hospice patient; or
    - ii. A resident in a licensed nursing home facility; or
  - 3. Situations in which the Prescription Drug Monitoring Program is not accessible due to technological or electrical failure.
- D. A licensed oncologist shall check the Prescription Drug Monitoring Program when prescribing to a patient on an initial malignant episodic diagnosis and every three (3) months following the diagnosis while continuing treatment.
- E. A healthcare provider must document in the patient record that the Prescription Drug Monitoring Program was checked.
- F. A healthcare provider who purposely fails to access the Prescription Drug Monitoring Program as required is subject to disciplinary action by the Arkansas State Medical Board.