



2017-2018 General Assembly

SENATE BILL 750: Health in Local Confinement/Veterinarians Controlled Substances/Wendell Holmes Murphy Freeway/Tax Due Date.

Committee:		Date:	July 31, 2018
Introduced by:		Prepared by:	Jessica Boney Staff Attorney
Analysis of:	S.L. 2018-76		

OVERVIEW: *S.L. 2018-76 does the following:*

- *Addresses health issues in local confinement facilities.*
- *Ensures State prisons are full participants in the NC Health Information Exchange, known as NC HealthConnex.*
- *Amends the duties of law enforcement officers related to involuntary commitment.*
- *Amends the North Carolina Controlled Substances Act and the Controlled Substances Reporting System pertaining to the practice of veterinary medicine.*
- *Requires continuing education for veterinarians on the abuse of controlled substances.*
- *Includes the North Carolina Veterinary Medical Board on the Prescription Drug Abuse Advisory Committee.*
- *Amends various budget provisions.*

This act has various effective dates. Please see the full summary for more detail.

BILL ANALYSIS:

Section 1 requires that the medical examiner and the coroner must be notified immediately if a prisoner in the custody of a local confinement facility dies, regardless of the physical location of the prisoner at the time of death.

Section 2 requires the Department of Health and Human Services (DHHS) to study how to improve prisoner health screening with a goal of improving the determination that a prisoner in a local confinement facility has been prescribed life-saving prescription medications and a process to ensure the timely administration of those prescription medications. DHHS is required to report on or before November 1, 2018 to the JLOCHHS.

Section 3(a) requires the Department of Public Safety, DHHS, and the Government Data Analytics Center (GDAC) within the Department of Information Technology (DIT) to work collaboratively with organizations representing local government and law enforcement to facilitate the secure transmission of health information pertaining to prisoners in local confinement facilities through participation in the HIE Network, known as NC HealthConnex. **Section 3(b)** requires the Department of Public Safety, DHHS, and GDAC to ensure prison facilities are full participants in NC HealthConnex. **Section 3(c)** requires DHHS and GDAC, to provide an interim report to JLOCHHS on or before October 1, 2018 and a final report on or before October 1, 2019.

Section 3.1 increases by four percent the annual salaries of all State employees employed in positions based in State adult correctional facilities in effect on June 30, 2018.

Karen Cochrane-Brown
Director

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Section 3.2(a) and **Section 3.2(b)** require a law enforcement officer to transport an individual under involuntary commitment proceedings to a facility or other location identified by the LME/MCO in the community crisis services plan unless circumstances indicate the respondent appears to be suffering a medical emergency in which case the law enforcement officer will seek immediate medical assistance for the individual.

Section 4 clarifies a practitioner does not include a veterinarian for purposes of this section, which exempts a veterinarian from having to review patient information in the CSRS prior to prescribing a targeted controlled substance.

Section 5 states a veterinarian may continue to prescribe targeted controlled substances from valid written, oral or facsimile prescriptions. This further clarifies the exemption for a veterinarian from the electronic prescription requirement. The existing statute and this clarification are not effective until January 1, 2020. Under current law, a dispenser who dispenses any Schedule II to V Controlled Substance must report prescription information to the CSRS.

Section 6 clarifies the definition of a dispenser for purposes of the requirements for CSRS includes a veterinarian when that person dispenses any Schedule II through V controlled substances. A veterinarian must report this prescription information to the CSRS. G.S. 90-113.73(g), as created by this section, states a veterinarian may submit prescription information by paper form or other means, provided all information required of electronically submitted data is submitted.

Under current law a practitioner may not prescribe more than a five day supply of any targeted controlled substance upon initial consultation and treatment of a patient for acute pain or prescribe more than a seven day supply of any targeted controlled substance for post-operative acute pain following a surgical procedure. **Section 7** exempts prescriptions for controlled substances wholly administered in an emergency facility, veterinary hospital or animal hospital as defined in G.S. 90-181.1, from the five day and seven day limitations on prescriptions for acute pain. Section 7 clarifies the definition of acute pain does not include pain treated as part of cancer care, hospice care or palliative care provided by a veterinarian. Section 7 modifies the definition of surgical procedure to include procedures performed by a veterinarian.

Section 8 requires the Veterinary Medical Board to require continuing education on the abuse of controlled substances as a condition of license renewal.

Section 9 adds the Veterinary Medical Board to the Prescription Drug Abuse Advisory Committee.

Section 9.2 requires the Department of Transportation to designate the portion of Interstate 40 in North Carolina from mile marker 380 to mile marker 385 the Senator Wendell Holmes Murphy, Sr. Freeway.

Section 9.5 clarifies the applicable date when a due date for taxes imposed for taxable years beginning on or after July 1, 2017 falls on a weekend, holiday or closure date.

EFFECTIVE DATE: The section clarifying a veterinarian may continue to prescribe targeted controlled substance from valid written, oral or facsimile prescriptions becomes effective January 1, 2020.

The section governing the transportation of an individual under involuntary commitment proceedings by a law enforcement officer is effective October 1, 2019 and applies to proceedings initiated on or after that date.

Veterinarians must report prescription information to the CSRS for dispensing any Schedule II through V controlled substances effective January 1, 2019. G.S. 90-113.73(g), as enacted by Section 6 of this act, expires effective October 1, 2019.

The section requiring the North Carolina Veterinary Medical Board to require continuing education on the abuse of controlled substances became effective June 25, 2018 and applies to renewal applications received in 2020.

The remainder of this act became effective June 25, 2018.

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*Theresa Matula contributed to this Bill Summary.