

~~(5)~~ (6) PROMOTE APPROPRIATE AND REAL-TIME, IF FEASIBLE, ACCESS TO PRESCRIPTION MONITORING DATA BY DISPENSERS AND PRESCRIBERS TO HELP PREVENT SUBSTANCE ABUSE AND PRESCRIPTION DRUG DIVERSION;

~~(6)~~ IDENTIFY THE MECHANISM BY WHICH A PRESCRIPTION DRUG IS IDENTIFIED AS A DRUG OF CONCERN;

~~(6)~~ DETERMINE A PERIOD OF TIME AFTER WHICH THE INFORMATION COLLECTED IN THE DATABASE WILL BE DESTROYED;

~~(7)~~ REQUIRE THE BOARD TO APPLY FOR FEDERAL GRANT MONEY, AS APPROPRIATE;

~~(7)~~ (8) ENSURE THAT THE PROGRAM IS DESIGNED TO:

(I) ~~MINIMIZE PREVENT~~, TO THE FULLEST EXTENT POSSIBLE, THE BURDEN ON DISPENSERS IN THEIR COMPLIANCE WITH THE REQUIREMENTS OF THIS SUBTITLE; AND

(II) ~~PROMOTE SUBMISSION OF~~ RECEIVE PRESCRIPTION MONITORING DATA IN A MANNER COMPATIBLE WITH EXISTING DATA SUBMISSION PRACTICES OF DISPENSERS; AND

~~(8)~~ (9) ENSURE, TO THE FULLEST EXTENT POSSIBLE, THAT PATIENT CONFIDENTIALITY IS PROTECTED.

(9) ENSURE THAT:

(I) CONFIDENTIAL OR PRIVILEGED PATIENT INFORMATION IS KEPT CONFIDENTIAL; AND

(II) RECORDS OR INFORMATION PROTECTED BY THE PRIVILEGE BETWEEN A HEALTH CARE PROVIDER AND A PATIENT, OR OTHERWISE REQUIRED BY LAW TO BE HELD CONFIDENTIAL, IS FILED IN A MANNER THAT, EXCEPT AS OTHERWISE PROVIDED IN § 21-2A-06 OF THIS SUBTITLE, DOES NOT DISCLOSE THE IDENTITY OF THE PERSON PROTECTED.

(E) PRESCRIPTION MONITORING DATA SHALL BE DESTROYED AFTER 2 YEARS, UNLESS A LAW ENFORCEMENT AGENCY OR A HEALTH OCCUPATIONS BOARD HAS SUBMITTED A WRITTEN REQUEST TO THE DEPARTMENT FOR RETENTION OF SPECIFIC INFORMATION.

21-2A-03.

(A) THERE IS AN ADVISORY BOARD ON PRESCRIPTION DRUG MONITORING IN THE DEPARTMENT.

(B) THE BOARD CONSISTS OF THE FOLLOWING ~~15~~ 21 MEMBERS:

- (1) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S DESIGNEE;
- (2) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;