

- (3) THE DATE OF DISPENSING;
- (4) THE QUANTITY DISPENSED;
- (5) THE PRESCRIBER; AND
- (6) THE PHARMACY FROM WHICH THE DRUG IS DISPENSED; AND
- (7) ~~THE PRESCRIBER'S DIAGNOSIS CODE, IF SUCH CODE IS PART OF THE ELECTRONIC RECORD CREATED BY THE DISPENSER.~~

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A DISPENSER SHALL SUBMIT PRESCRIPTION MONITORING DATA TO THE PROGRAM BY ELECTRONIC SUBMISSION.

(C) THE PROGRAM, FOR GOOD CAUSE SHOWN, MAY AUTHORIZE A DISPENSER TO:

- (1) SUBMIT PRESCRIPTION MONITORING DATA BY AN ALTERNATIVE FORM OF SUBMISSION; OR
- (2) OMIT ONE OR MORE ELEMENTS OF PRESCRIPTION MONITORING DATA.

(D) THE BOARD AND THE SECRETARY MAY NOT CHARGE A FEE OR IMPOSE AN ASSESSMENT ON A HOSPITAL, DISPENSER, OR PRESCRIBER FOR:

- (1) THE ESTABLISHMENT, MAINTENANCE, OR ADMINISTRATION OF THE PROGRAM; OR
- (2) THE TRANSMISSION OF INFORMATION TO OR FROM THE PROGRAM.

21-2A-06.

(A) PRESCRIPTION MONITORING DATA:

- (1) ARE CONFIDENTIAL AND PRIVILEGED, AND NOT SUBJECT TO DISCOVERY, SUBPOENA, OR OTHER MEANS OF LEGAL COMPULSION IN CIVIL LITIGATION;
- (2) ARE NOT PUBLIC ~~RECORD~~ RECORDS; AND
- (3) EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (D) OF THIS SECTION OR AS OTHERWISE PROVIDED BY LAW, MAY NOT BE DISCLOSED TO ANY PERSON.

(B) THE PROGRAM MAY, IN ACCORDANCE WITH REGULATION, DISCLOSE PRESCRIPTION MONITORING DATA TO AN AUTHORIZED RECIPIENT:

- (1) IN CONNECTION WITH THE MEDICAL CARE OF A PATIENT;
- (2) IN CONNECTION WITH THE DISPENSING OF A MONITORED PRESCRIPTION DRUG; OR
- (3) FOR THE PURPOSE OF FURTHERING AN EXISTING BONA FIDE INDIVIDUAL INVESTIGATION.