

**61-12-01-04. Required use for Certain Dispensing Situations.**

**FINAL**

1. Prior to dispensing a prescription each dispenser licensed by a regulatory agency in the state of North Dakota who dispenses a controlled substance to a patient, for the treatment of pain or anxiety shall, at a minimum, request and review a Prescription Drug Monitoring Report covering at least a one year time period and/or another state's report, where applicable and available, if the dispenser becomes aware of a person currently:
  - a. Receiving reported drugs from multiple prescribers;
  - b. Receiving reported drugs for more than twelve consecutive weeks;
  - c. Abusing or misusing reported drugs (i.e. over-utilization, early refills, appears overly sedated or intoxicated upon presenting a prescription for a reported drug, or an unfamiliar patient requesting a reported drug by specific name, street name, color, or identifying marks);
  - d. Requesting the dispensing of a reported drug from a prescription issued by a prescriber with whom the dispenser is unfamiliar (i.e. the prescriber is located out-of-state or the prescriber is outside the usual pharmacy geographic prescriber care area); or,
  - e. Presenting a prescription for reported drugs when the patient resides outside the usual pharmacy geographic patient population.
2. After obtaining an initial Prescription Drug Monitoring Report on a patient, a dispenser shall use professional judgment based on prevailing standards of practice in deciding the frequency of requesting and reviewing further Prescription Drug Monitoring Reports and/or other state' reports for that patient.
3. In the rare event a report is not immediately available; the dispenser shall use professional judgment in determining whether it is appropriate and in the patient's best interest to dispense the prescription prior to receiving and reviewing a report.
4. For the purpose of compliance with Section 1, a report could be obtained through a PDMP integration with software or also a Board approved aggregate tool, for which the NARxCHECK will be an approved tool.
  - a. The National Association of Boards of Pharmacy Foundation's NARxCHECK service is a risk assessment tool for health care providers and pharmacists that accesses patient prescription information from prescription drug monitoring program (PDMP) databases, analyzes the data, and provides a risk-based score that includes PDMP data and graphical analysis to assist in prescribing and dispensing decisions.

**History:** Effective July 1, 2014

**General Authority:** NDCC 19-03.5, NDCC 19-03.5-09, NDCC 43-15-10 (12)

**Law Implemented:** NDCC 19-03.5