

Act No. 173 (S.243). Health; opioids; prescription drugs; Vermont Prescription Monitoring System; acupuncture

An act relating to combating opioid abuse in Vermont

This act adds the appropriate prescription of controlled substances to treat acute pain to the topics on which professional licensing authorities must develop evidence-based standards and requires the licensing authorities to submit their standards to the Commissioner of Health to review for consistency across health care. It requires dispensers of prescription drugs to query the Vermont Prescription Monitoring System (VPMS) and increases the frequency with which dispensers must report to the VPMS from at least once a week to daily. The act creates the 35-member Controlled Substances and Pain Management Advisory Council as the successor to the Unified Pain Management System Advisory Council and other advisory groups. It directs the Commissioner of Health to adopt rules on prescribing opioids after consulting with the Council, which may include number and time limits on pills prescribed, including a maximum number of pills to be prescribed following minor medical procedures. It specifies that prescribing physicians and collaborating health care and addiction professionals may coordinate care for patients receiving medication-assisted treatment for substance use disorder and requires health insurers and the Department of Vermont Health Access to ensure that when telemedicine is used to treat substance use disorder, both the treating clinician and hosting facility are reimbursed for the services rendered. It expands the role of pharmacies and pharmacists to include the practice of clinical pharmacy and allows health insurers to pay pharmacists for providing services within their scope of practice. It directs the Department of Health, in consultation with interested stakeholders, to report on the appropriate role of pharmacies in preventing opioid misuse, abuse, and diversion.

The act requires health care professionals who have a federal Drug Enforcement Agency number or who dispense controlled substances to complete a total of at least two hours of continuing education for each licensing period on topics related to preventing opioid abuse, misuse, and diversion. It directs the Department of Health to consult with the Board of Veterinary Medicine and the Agency of Agriculture, Food and Markets to develop recommendations on appropriate safe prescribing and disposal of controlled substances prescribed by veterinarians for animals and dispensed to their owners. It requires the Commissioner of Health to convene medical educators to develop curricular materials to ensure that students in medical education programs learn safe prescribing practices and screening, prevention, and intervention for cases of prescription drug misuse and abuse and directs the Department of Health to establish a community grant program to support local opioid prevention strategies. The act increases a fee imposed on pharmaceutical manufacturers whose drugs are paid for by DVHA from 0.5 percent to 1.5 percent of annual

DVHA drug spending and adds to the permissible uses of the Evidence-Based Education and Advertising Fund.

The act requires the Department of Health to establish and maintain a statewide unused prescription drug disposal program and directs BlueCross BlueShield of Vermont to evaluate the evidence supporting the use of acupuncture to treat pain and whether its plans should provide coverage for acupuncture services. It also creates a pilot project to offer acupuncture services to Medicaid-eligible Vermonters with a diagnosis of chronic pain. And the act appropriates funds from the Evidence-Based Education and Advertising Fund to the Department of Health for academic detailing, unused prescription drug disposal initiatives, the purchase and distribution of opioid antagonist rescue kits, and reducing hospital-acquired infections, and to DVHA to implement the Medicaid acupuncture pilot project.

Multiple effective dates, beginning on June 8, 2016