

1 S.243

2 Senators Ayer, Collamore, Lyons, and McCormack move that the report of
3 the Committee on Health and Welfare, as amended by the Committee on
4 Finance, be further amended as follows:

5 First: In Sec. 2, 18 V.S.A. § 4289, by striking out subsection (f) in its
6 entirety and inserting in lieu thereof a new subsection (f) to read as follows:

7 (f)(1) Each professional licensing authority for dispensers shall adopt
8 standards, consistent with rules adopted by the Department of Health under
9 this section, regarding the frequency and circumstances under which its
10 respective licensees shall:

11 ~~(1) query the VPMS; and~~

12 ~~(2) report to the VPMS, which shall be no less than once every seven~~
13 ~~days~~ Pharmacies and other dispensers shall report each dispensed prescription
14 for a Schedule II, III, or IV controlled substance to the VPMS within 24 hours
15 or one business day after dispensing.

16 Second: In Sec. 12, 33 V.S.A. § 2004, by striking out subsections (a) and
17 (b) in their entirety and inserting in lieu thereof the following:

18 (a) Annually, each pharmaceutical manufacturer or labeler of prescription
19 drugs that are paid for by the Department of Vermont Health Access for
20 individuals participating in Medicaid, Dr. Dynasaur, or VPharm shall pay a fee
21 to the Agency of Human Services. The fee shall be ~~0.5~~ 1.5 percent of the

1 previous calendar year's prescription drug spending by the Department and
2 shall be assessed based on manufacturer labeler codes as used in the Medicaid
3 rebate program.

4 (b) Fees collected under this section shall fund collection and analysis of
5 information on pharmaceutical marketing activities under 18 V.S.A. §§ 4632
6 and 4633; analysis of prescription drug data needed by the Office of the
7 Attorney General for enforcement activities; the Vermont Prescription
8 Monitoring System established in 18 V.S.A. chapter 84A; the evidence-based
9 education program established in 18 V.S.A. chapter 91, subchapter 2;
10 statewide unused prescription drug disposal initiatives; prevention of
11 prescription drug misuse, abuse, and diversion; treatment of substance use
12 disorder; exploration of nonpharmacological approaches to pain management;
13 a hospital antimicrobial program for the purpose of reducing hospital-acquired
14 infections; the purchase and distribution of naloxone to emergency medical
15 services personnel; and any opioid-antagonist education, training, and
16 distribution program operated by the Department of Health or its agents. The
17 fees shall be collected in the Evidence-Based Education and Advertising Fund
18 established in section 2004a of this title.

1 Third: By striking out Sec. 13, 33 V.S.A. § 2004a(a), in its entirety and
2 inserting in lieu thereof the following:

3 Sec. 13. 33 V.S.A. § 2004a(a) is amended to read:

4 (a) The Evidence-Based Education and Advertising Fund is established in
5 the State Treasury as a special fund to be a source of financing for activities
6 relating to fund collection and analysis of information on pharmaceutical
7 marketing activities under 18 V.S.A. §§ 4632 and 4633; for analysis of
8 prescription drug data needed by the Office of the Attorney General for
9 enforcement activities; for the Vermont Prescription Monitoring System
10 established in 18 V.S.A. chapter 84A; for the evidence-based education
11 program established in 18 V.S.A. chapter 91, subchapter 2; for statewide
12 unused prescription drug disposal initiatives; for the prevention of prescription
13 drug misuse, abuse, and diversion; for treatment of substance use disorder; for
14 exploration of nonpharmacological approaches to pain management; for a
15 hospital antimicrobial program for the purpose of reducing hospital-acquired
16 infections; for the purchase and distribution of naloxone to emergency medical
17 services personnel; and for the support of any opioid-antagonist education,
18 training, and distribution program operated by the Department of Health or its
19 agents. Monies deposited into the Fund shall be used for the purposes
20 described in this section.

1 Fourth: In Sec. 17, appropriations, by striking out subsection (f) in its
2 entirety and inserting in lieu thereof the following:

3 (f) The sum of \$200,000.00 is appropriated from the Evidence-Based
4 Education and Advertising Fund to the Department of Vermont Health Access
5 in fiscal year 2017 for the purpose of exploring nonpharmacological
6 approaches to pain management by implementing the pilot project established
7 in Sec. 15a of this act to evaluate the use of acupuncture in treating chronic
8 pain in Medicaid beneficiaries.