

Prescription Monitoring Program (“PMP”)

07/17/19

On May 6, 2019, the Division of Consumer Affairs adopted new rules and amendments for the Prescription Monitoring Program (“PMP”) that was established under N.J.S.A. 45:1-45 et seq.

The rule adoptions include amendments to existing rules and new rules, the new rules being N.J.A.C. 13:45A-35.6A and 35.12. Amendments have been made to N.J.A.C. 13:45A-35.1, 35.2, 35.3, 35.6, 35.7, 35.8, 35.9 and 35.11.

Athletic Trainers and Scribes

The new regulations, among other things, expand delegate access to the PMP to include **athletic trainers and medical scribes employed by a hospital’s emergency department**, amend the professional misconduct provisions at N.J.A.C. 13:45A-35.11 to include a licensed athletic trainer and medical scribe, modify the conditions under which a prescriber is required to look up the patient’s PMP records, and provide for electronic health systems to access prescription monitoring information so that PMP information can be directly integrated into electronic medical records. The rules amend certain definitions in N.J.A.C. 13:45A-35.2 such as “certified medical assistant” and “chronic pain”.

The new and amended rules provide that a practitioner practicing in a hospital’s emergency department and the director of the hospital’s emergency department may designate a medical scribe who is working in the hospital’s emergency department as a delegate for a practitioner practicing in the emergency department. The new rules provides that a practitioner may designate as a delegate, an athletic trainer who is employed at a “clinic practice setting” as defined in the regulations.

Correction of PMP Information

The new regulations establish a process for patients to request the correction of certain inaccurate information in the PMP and for the pharmacy permit holder to have policies and procedures for correction of PMP information.

Attorney

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