

**218A.025 Controlled Substances Prescribing Council -- Membership -- Duties -- Report.**

- (1) The Controlled Substances Prescribing Council is hereby established under the Office of the Inspector General. The council shall consist of the following fifteen (15) members:
  - (a) The Inspector General of the Cabinet for Health and Family Services, who shall serve as chair of the council;
  - (b) The executive director of the Office of Drug Control Policy;
  - (c) Two (2) currently licensed prescribers of scheduled drugs selected by the Kentucky Board of Dentistry, one (1) of whom shall be a dentist and one (1) of whom shall be an oral surgeon;
  - (d) Four (4) licensed physicians who currently prescribe scheduled drugs selected by the Kentucky Board of Medical Licensure, one (1) of whom shall have a specialty in primary care, one (1) of whom shall have a specialty in emergency medicine, one (1) of whom shall have a specialty in psychiatry or addiction medicine, and one (1) of whom shall have a specialty in pain management;
  - (e) Four (4) licensed advanced practice registered nurses who currently prescribe scheduled drugs selected by the Kentucky Board of Nursing, one (1) of whom shall have a specialty in primary care, one (1) of whom shall have a specialty in acute care, one (1) of whom shall have a specialty in psychiatric mental health or addiction, and one (1) of whom shall have a specialty in pain management;
  - (f) One (1) licensed prescriber of scheduled drugs selected by the Kentucky Board of Optometric Examiners;
  - (g) One (1) licensed prescriber of scheduled drugs selected by the Kentucky Board of Podiatry; and
  - (h) One (1) licensed pharmacist selected by the Kentucky Board of Pharmacy.
- (2) The council shall meet at least quarterly to discuss matters relating to the safe and appropriate prescribing and dispensing of controlled substances, including:
  - (a) The review of quarterly reports issued by the Office of the Inspector General pursuant to KRS 218A.202(9) to identify potential improper, inappropriate, or illegal prescribing or dispensing of controlled substances by examining aggregate patterns of prescribing by profession of the prescriber and county where the medication was prescribed and dispensed;
  - (b) Recommendations for improvements in data collection and reporting by the electronic system for monitoring controlled substances pursuant to KRS 218A.202;
  - (c) Recommendations for best prescribing practices based on up-to-date research;
  - (d) Recommendations to the professional licensing boards for actions to aid in enforcing current law, reviewing prescribing and dispensing data, and correcting improper, inappropriate, or illegal prescribing or dispensing of a controlled substance; and

- (e) Development and communication of any recommendations, based on review of data or research, to each licensure board. The licensure boards shall respond in writing to the panel within ninety (90) days of receiving the recommendations with an explanation of their response to the recommendations.
- (3) The council may request information from the licensure boards regarding their procedures for conducting investigations and taking actions regarding the possible improper, inappropriate, or illegal prescribing or dispensing of controlled substances.
- (4) On or before December 31, 2024, and each December 31 thereafter, the council shall submit an annual report to the Governor and the Legislative Research Commission. The annual report shall:
  - (a) List the council's meeting dates and topics for the preceding year;
  - (b) Provide relevant statistical information, including a summary of the aggregate patterns by profession of prescriber and by county, of potential improper, inappropriate, or illegal prescribing or dispensing of a controlled substance;
  - (c) Describe the efforts made by the council to share information among the licensure boards related to improving the safe and appropriate prescribing and dispensing of controlled substances;
  - (d) Summarize responses received from the licensure boards to the panel's recommendations; and
  - (e) Provide any policy recommendations, including recommendations for statutory or administrative regulation changes intended to improve prescribing and dispensing practices and prevent improper, inappropriate, or illegal prescribing or dispensing of controlled substances.
- (5) The council shall not make any recommendations related to the scope of practice of any prescribing or dispensing professionals.
- (6) The council shall be attached to the Office of the Inspector General for administrative purposes.
- (7) Members shall not receive any additional compensation for their service on the council but shall be reimbursed for all necessary expenses.

**Effective:** June 29, 2023

**History:** Created 2023 Ky. Acts ch. 73, sec. 2, effective June 29, 2023.

**Legislative Research Commission Note** (6/29/2023). 2023 Ky. Acts ch. 146, sec. 38, amended KRS 218A.202 and renumbered the subsection referenced in subsection (2) of this section. Under the authority of KRS 7.136(1), the Reviser of Statutes has made the necessary change to reflect the renumbered reference.