

1 AN ACT relating to the membership of the Controlled Substances Prescribing
2 Council.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. KRS 218A.025 is amended to read as follows:

5 (1) The Controlled Substances Prescribing Council is hereby established under the
6 Office of the Inspector General. The council shall consist of the following fifteen
7 (15) members:

8 (a) The Inspector General of the Cabinet for Health and Family Services, who
9 shall serve as chair of the council;

10 (b) The executive director of the Office of Drug Control Policy;

11 (c) Two (2) currently licensed prescribers of scheduled drugs selected by the
12 Kentucky Board of Dentistry, one (1) of whom shall be a dentist and one (1)
13 of whom shall be an oral surgeon;

14 (d) **Three (3)**~~Four (4)~~ licensed physicians who currently prescribe scheduled
15 drugs selected by the Kentucky Board of Medical Licensure, one (1) of whom
16 shall have a specialty in primary care,~~one (1) of whom shall have a specialty~~
17 ~~in emergency medicine,~~ one (1) of whom shall have a specialty in psychiatry
18 or addiction medicine, and one (1) of whom shall have a specialty in pain
19 management;

20 (e) **Three (3)**~~Four (4)~~ licensed advanced practice registered nurses who
21 currently prescribe scheduled drugs selected by the Kentucky Board of
22 Nursing, one (1) of whom shall have a specialty in primary care,~~one (1) of~~
23 ~~whom shall have a specialty in acute care,~~ one (1) of whom shall have a
24 specialty in psychiatric mental health or addiction, and one (1) of whom shall
25 have a specialty in pain management;

26 (f) One (1) licensed prescriber of scheduled drugs selected by the Kentucky
27 Board of Optometric Examiners;

- 1 (g) One (1) licensed prescriber of scheduled drugs selected by the Kentucky
2 Board of Podiatry;~~[-and]~~
- 3 (h) One (1) licensed pharmacist selected by the Kentucky Board of Pharmacy;
4 and
- 5 (i) Two (2) licensed veterinarians who currently prescribe and dispense
6 scheduled drugs selected by the Kentucky Board of Veterinary Examiners,
7 one (1) of whom shall have a specialty in livestock as defined in KRS
8 257.010, and one (1) of whom shall have a specialty in equine medicine.
9 The addition of licensed veterinarians to the council under this paragraph
10 shall not be construed to require veterinarians in Kentucky who are
11 prescribing or dispensing controlled substances to report data to
12 the cabinet pursuant to KRS 218A.202.
- 13 (2) The council shall meet at least quarterly to discuss matters relating to the safe and
14 appropriate prescribing and dispensing of controlled substances, including:
- 15 (a) The review of quarterly reports issued by the Office of the Inspector General
16 pursuant to KRS 218A.202(9) to identify potential improper, inappropriate, or
17 illegal prescribing or dispensing of controlled substances by examining
18 aggregate patterns of prescribing by profession of the prescriber and county
19 where the medication was prescribed and dispensed;
- 20 (b) Recommendations for improvements in data collection and reporting by the
21 electronic system for monitoring controlled substances pursuant to KRS
22 218A.202;
- 23 (c) Recommendations for best prescribing practices based on up-to-date research;
- 24 (d) Recommendations to the professional licensing boards for actions to aid in
25 enforcing current law, reviewing prescribing and dispensing data, and
26 correcting improper, inappropriate, or illegal prescribing or dispensing of a
27 controlled substance; and

- 1 (e) Development and communication of any recommendations, based on review
2 of data or research, to each licensure board. The licensure boards shall
3 respond in writing to the panel within ninety (90) days of receiving the
4 recommendations with an explanation of their response to the
5 recommendations.
- 6 (3) The council may request information from the licensure boards regarding their
7 procedures for conducting investigations and taking actions regarding the possible
8 improper, inappropriate, or illegal prescribing or dispensing of controlled
9 substances.
- 10 (4) On or before ~~[December 31, 2024, and each]~~ December 31 of each year~~[thereafter]~~,
11 the council shall submit an annual report to the Governor and the Legislative
12 Research Commission for referral to the Interim Joint Committee on Health
13 Services. The annual report shall:
- 14 (a) List the council's meeting dates and topics for the preceding year;
- 15 (b) Provide relevant statistical information, including a summary of the aggregate
16 patterns by profession of prescriber and by county, of potential improper,
17 inappropriate, or illegal prescribing or dispensing of a controlled substance;
- 18 (c) Describe the efforts made by the council to share information among the
19 licensure boards related to improving the safe and appropriate prescribing and
20 dispensing of controlled substances;
- 21 (d) Summarize responses received from the licensure boards to the panel's
22 recommendations; and
- 23 (e) Provide any policy recommendations, including recommendations for
24 statutory or administrative regulation changes intended to improve prescribing
25 and dispensing practices and prevent improper, inappropriate, or illegal
26 prescribing or dispensing of controlled substances.
- 27 (5) The council shall not make any recommendations related to the scope of practice of

- 1 any prescribing or dispensing professionals.
- 2 (6) The council shall be attached to the Office of the Inspector General for
- 3 administrative purposes.
- 4 (7) Members shall not receive any additional compensation for their service on the
- 5 council but shall be reimbursed for all necessary expenses.