

Controlled Medication Prescription Monitoring Program Created

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On August 5, 2017 Governor Ricardo Rosselló signed Act No. 70-2017 (the “Act”) to create the Controlled Medication Prescription Monitoring Program (the “Program”) under the Mental Health and Anti-Addiction Services Administration (commonly known as “ASSMCA”) for the purpose of combating the abuse of prescription drugs and the funneling of these products into the black market. The Act responds to the grim statistics on prescription drug abuse due to addiction.

The Act seeks to create an electronic monitoring system to ensure controlled medications are dispensed only to persons with the correct prescription by authorized dispensers, improving accountability of the movements of controlled prescription drugs. In conjunction with an Advisory Committee composed of thirteen (13) members, ASSMCA will be responsible for implementing the Program, which will require all pharmacies to submit certain information electronically to the Program no later than fifteen (15) days after filling the prescription.

Information required from pharmacies includes the date and amount of the filled prescription, the prescription number, the drug’s National Drug Code and its dosage, information on the patient and the prescriber, and the length of the prescription. All of this information is to be kept strictly confidential, and is to be released only to people trained pursuant to the Program’s requirements, to law enforcement agencies if irregularities are detected and to relevant agencies for statistical purposes after removal of personal data.

Criminal and administrative sanctions are set out for violation of the Program’s terms, including non-compliance by pharmacies of the electronic disclosure requirement.

The Act became effective immediately, although ASSMCA will have six (6) months to organize and establish the Program.



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