

Testimony
Senate Bill 2134 – Department of Human Services
House Human Services Committee
Representative Clara Sue Price, Chairperson
February 12, 2007

Chairman Price, members of the committee, I am Dr. Brendan Joyce, Administrator of Pharmacy Services for the Department of Human Services (DHS). I appear before you to provide testimony in favor of SB 2134.

Howard Anderson, Jr. with the Board of Pharmacy provided testimony regarding the reasons and background information on this bill, so I will focus on updating the committee on the progression of the Prescription Drug Monitoring Program (PDMP) since last session.

Immediately after the legislation was passed last session, identification of potential interested parties started. Since the grant application wouldn't be due until near the end of 2005, the first Working Group meeting was held August 24, 2005. The working group also met in December 2005, February 2006, May 2006, and June 2006. Meeting minutes for all meetings are available if desired. A subgroup of volunteers met more often to first put together the grant application and then to put together a draft of the rules.

During the February 2006 meeting, the working group voted in favor of having the PDMP implemented and sustained in the Board of Pharmacy. There were no audible dissensions to this motion. This decision is the primary reason for SB 2134.

The Department of Human Services applied for the Department of Justice grant in December 2005. We were notified the end of August 2006 that we were awarded the grant. Unfortunately, the grant application paperwork has one spot for the Tax ID number. The DOJ used this Tax ID number as the vendor number for their paperwork with the federal comptroller's office. This resulted in the grant technically being awarded to the ND Highway Patrol. The Department of Justice informed us in December 2006 that it would take 2-3 months to re-work the grant paperwork to correct the vendor number and at that point the Department of Human Services could start drawing down grant funds. We were notified the morning of February 1st we would have a three hour window on February 1st to resubmit our documents for the grant. We completed this resubmission and are awaiting further notification from the Department of Justice.

DHS submitted emergency rules as the grant is for a fixed timeline. This was done prior to the vendor number issue. The largest concern with the rules from anyone within the working group was the liability protection, and all parties believe this concern has been addressed with this bill as it is amended.

In anticipation of the grant award, the Department released an RFP for services needed to operate the PDMP. Three qualified responses were received and one scored the highest and an agreement was reached. A contract will be signed soon in anticipation of the grant getting re-worked.

Once the grant is set up under the correct vendor number, the PDMP would be able to become partially operational within one month and fully

operational (receiving routine updates from pharmacies) within two months.

I would be happy to answer any questions the committee would have.