

**Testimony**  
**Senate Bill 2134 – Department of Human Services**  
**Senate Human Services Committee**  
**Senator Judy Lee, Chairperson**  
**January 9, 2007**

Chairman Lee, members of the committee, I am Dr. Brendan Joyce, Administrator of Pharmacy Services for the Department of Human Services. I appear before you to provide testimony in favor of Senate Bill number 2134.

Howard Anderson, Jr., with the Board of Pharmacy has provided testimony regarding the reasons and background information on this bill. My testimony will focus on updating the committee on the progression of the Prescription Drug Monitoring Program since the end of the 2005 Legislative Session.

Immediately after 2005 House Bill 1459 passed, the identification of individuals, interested in participating in the Prescription Drug Monitoring Program (PDMP) working group began. Attached please find the list of the PDMP working group members. 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 met more often to prepare the Department of Justice grant application and to draft the administrative rules.

During the February 2006 meeting, the working group voted in favor of having the PDMP implemented, and sustained in the Board of Pharmacy. This decision is the reason for 2007 Senate Bill number 2134.

The Department of Human Services applied for the Department of Justice (DOJ) 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 North Dakota Highway Patrol. The Department of Justice informed us in December 2006, that it would take two to three months to reprocess the grant paperwork to correct the vendor number. Once approved, the Department of Human Service may start drawing down grant funds.

The Department has submitted emergency rules as the grant is for a fixed timeline. This was done prior to the realization of the vendor number issue. The largest concern with the rules from anyone within the working group was the liability protection, and the Medical Association will explain that further.

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. An agreement has been reached, and a contract will be signed soon in anticipation of the grant being reprocessed.

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.