

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE DRS35144-LH-87 (02/20)

Short Title: Mandate Use/Controlled Sub. Reporting System. (Public)

Sponsors: Senator J. Davis (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE PRESCRIBERS AND DISPENSERS TO REVIEW INFORMATION
3 IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM PRIOR TO
4 PRESCRIBING OR DISPENSING A CONTROLLED SUBSTANCE TO A PATIENT
5 AND TO MAKE A VIOLATION OF THAT REQUIREMENT A CRIMINAL OFFENSE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 5E of Chapter 90 of the General Statutes is amended by
8 adding a new section to read:

9 **"§ 90-113.74A. Mandatory use of controlled substances reporting system.**

10 (a) Each person authorized to prescribe or dispense a controlled substance for the
11 purpose of providing medical or pharmaceutical care for a patient shall, prior to prescribing or
12 dispensing a controlled substance, review all information pertaining to the patient in the
13 controlled substances reporting system for the preceding 12-month period to determine if the
14 prescription is medically necessary and appropriate. This section does not apply to an
15 emergency situation in which immediate action is necessary to preserve the life or health of a
16 patient.

17 (b) The Commission may adopt rules as necessary to implement this section.

18 (c) Any person who violates this section is guilty of a Class 1 misdemeanor; provided,
19 however, that if the criminal pleading alleges that the violation was committed intentionally
20 and upon trial it is specifically found that the violation was committed intentionally, the person
21 is guilty of a Class I felony."

22 **SECTION 2.** This act becomes effective December 1, 2013, and applies to
23 offenses committed on or after that date.

