63-06-01-01. Prescription drug monitoring program rule.

1. Every podiatrist with a drug enforcement agency registration number shall register with the prescription drug monitoring program.

2. 
   a. When a podiatrist determines that reported drugs will be prescribed to a patient for a period to exceed twelve weeks, the podiatrist shall request a prescription drug monitoring program report for that patient and, at a minimum, at least semiannually thereafter.
   b. This requirement does not apply to reported drugs prescribed to patients in a controlled setting in which the drugs are locked and administered to the patient, for example, admitted hospital or hospice patients, long-term care patients or group home residents.

3. In addition to those reports requested under subsection 2, podiatrists shall request a prescription drug monitoring program report when it is documented in the prescribing podiatrist's medical record for that patient that the patient exhibits signs associated with diversion or abuse, including:
   a. Selling prescription drugs;
   b. Forging or altering a prescription;
   c. Stealing or borrowing reported drugs;
   d. Taking more than the prescribed dosage of any reported drug;
   e. Having a drug screen that indicates the presence of additional or illicit drugs;
   f. Being arrested, convicted, or diverted by the criminal justice system for a drug-related offense;
   g. Receiving reported drugs from providers not reported to the treating podiatrist;
   h. Having a law enforcement or health professional express concern about the patient's use of drugs.
   i. Violating any prescribing agreement with the podiatrist;
   j. Frequently requests early refills of a reported drug for any reason;
   k. Appears impaired or excessively sedated to the podiatrist in any patient encounter; and
   l. Has a history of drug abuse dependency.

4. A podiatrist shall document the receipt and assessment of prescription drug monitoring program reports made under this rule.

History: Effective ______________.

General Authority: NDCC 28-32-02, 43-05-08
Law Implemented: NDCC 19-03.5-09