

Rx News Bulletin

Bureau of Narcotics & Dangerous Drugs

Missouri Department of Health and Senior Services

health.mo.gov/safety/bnodd/index.php

Governor Parson Signs HB 2149 into Law *Professional Licenses Waived for Certain Military Practitioners*

Governor Parson signed HB 2149 into law on June 8, 2022. This bill contained multiple health care provisions. Section 324.005, RSMo states that the requirement for a Missouri professional license may not be required if the practitioner is practicing as a member of the Armed Forces or National Guard, and is in the federal Innovative Readiness Training Program within the U.S. Department of Defense. The exception for licensure only applies if the practitioner is acting within their scope of licensure while performing the military duty. Practitioners who leave this program and enter the private sector would need required license and drug registrations. The Bureau of Narcotics and Dangerous Drugs (BNDD) does not require these military practitioners to obtain a state controlled substances registration. The bill text states:

324.005. 1. Notwithstanding any requirements for licensure for all professional boards, commissions, committees and offices within the division of professional registration to the contrary, a professional who has a current license to practice from another state, commonwealth, territory or the District of Columbia shall be exempt from the licensure requirements of his or her respective licensure board in this state if:

(1) The professional is an active duty or reserve member of the Armed Forces of the United States, a member of the National Guard, a civilian employee of the United States Department of Defense, an authorized services contractor under U.S.C. 9 Section 1091, or a professional otherwise authorized by the United States Department of Defense;

(2) The professional practices the same occupation or profession at the same practice level for which he or she holds a current license; and

3) The professional is engaged in the practice of a profession through a partnership with the federal Innovative Readiness Training program within the United States Department of Defense.

2. The exemption provided in this section shall not permit a professional to engage in practice except as part of the federal Innovative Readiness Training program within the United States Department of Defense. The exemption shall only apply while:

(1) The professional's practice is required by the program pursuant to military orders; and

(2) The services provided by the professional are within the scope of practice for the individual's respective profession in this state.

Status of Missouri's Statewide Prescription Drug Monitoring Program

Missouri's new prescription drug monitoring program is placed in the Office of Administration. As required by law, a task force has been established comprised of physicians, pharmacists, a dentist and a mid-level practitioner. Dean Linneman has been hired as the administrator to implement the new program.

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Missouri Dental Board Authorized to Collaborate Pilot Projects to Enhance Care in Underserved Areas

Governor Parson signed HB 2149 into law on June 8, 2022. This bill authorizes the Missouri Dental Board to collaborate with the Department of Health and Senior Services to implement pilot projects to increase and enhance dental care in medically underserved population areas. The Bureau of Narcotics and Dangerous Drugs (BNDD) will cooperate with the Missouri Dental Board to arrange for the safe and legal handling, distribution and dispensing of controlled substances. The text of the bill in Section 332.325, RSMo states:

332.325. 1. The Missouri dental board may collaborate with the department of health and senior services and the office of dental health within the department of health and senior services to approve pilot projects designed to examine new methods of extending care to medically underserved populations, as defined in 42 U.S.C. Section 300e-1(7). These pilot projects may employ techniques or approaches to care that may necessitate a waiver of the requirements of this chapter and regulations promulgated thereunder; provided:

(1) The project plan has a clearly stated objective of serving a specific underserved population that warrants, in the opinion of a majority of the board, granting approval for a pilot project;

(2) The project has a finite start date and termination date;

(3) The project clearly defines the new techniques or approaches it intends to examine to determine if it results in an improvement in access or quality of care;

(4) The project plan identifies specific and limited locations and populations to in the pilot project;

(5) The project plan clearly establishes minimum guidelines and standards for the pilot project, including, but not limited to, provisions for protecting safety of participating patients;

(6) The project plan clearly defines the measurement criteria it will use to evaluate the outcomes of the pilot project on access and quality of care; and

(7) The project plan identifies reporting intervals to communicate interim and final outcomes to the board.

2. The board may promulgate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are non-severable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 31 2022, shall be invalid and void.

3. The provisions of this section shall expire on August 28, 2026. The board shall provide a final report on approved projects and related data or findings to the general assembly on or before December 31, 2025. The name, location, approval dates, and general description of an approved pilot project shall be deemed a public record pursuant to chapter 610.

Reminder for Electronic Prescribing Waivers

State law requires all controlled substance prescriptions to be issued and transmitted electronically. There are 11 exceptions to the requirement. One of the exceptions is if a practitioner obtains a waiver from the Bureau of Narcotics and Dangerous Drugs due to technology, financial issues or other. Pharmacies will continue to receive prescriptions by paper, telephone and fax.

The bureau reminds all practitioners that when a waiver is issued, it is issued for a one-year period. A new waiver must be applied for and granted each year. The fillable, one-page waiver can be found [here](#). The completed waiver should be emailed to BNDDRxWaiver@health.mo.gov.



Applications for Electronic Prescribing Waivers

DHSS Home » Licensing & Regulations » bndd » apps-electronic-presc-waivers

- [Section 195,550, RSMo](#)
- [Waiver of Law Extended to 3-31-2021](#)
- [Emergency Rule 19 CSR 30-1.080](#)
- [Application for Prescribing Waiver](#) (must be emailed to BNDDRxWaiver@health.mo.gov)
- [Prescribing Waiver Information and Implementation Plan](#)

MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES
BUREAU OF NARCOTICS AND DANGEROUS DRUGS
APPLICATION FOR WAIVER FROM ELECTRONIC PRESCRIBING

LAST NAME: _____ FIRST NAME: _____

BNDD REGISTRATION NUMBER: _____ EMAIL ADDRESS: _____

PROFESSIONAL LICENSE TYPE:

MD DO DDS DMD APRN DD PA DPM Asst. Physician

CHECK BOX(ES) TO IDENTIFY THE REASON FOR THE WAIVER

Economic Hardship

Technological Limitations

Other exceptional circumstances

Additional details in support of waiver request:

Regulation Amendments in Progress

The Bureau of Narcotics and Dangerous Drugs is working on the following amendments and updates to existing regulations:

- Updating the list of controlled substances to match the federal DEA list.
- Waiving the requirement for registration for military practitioners in the federal Innovative Readiness Training Program within the United States Department of Defense.
- In consistency with other federal and state laws and programs, having applications to the bureau be submitted electronically online.



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Alternate forms of this publication for persons with disabilities may be obtained by contacting the Missouri Department of Health and Senior Services, BNDD, P.O. Box 570, Jefferson City, MO, 65102, (573) 751-6321. Hearing- and speech-impaired citizens can dial 711. EEO/AAP services provided on a nondiscriminatory basis.