Missouri becomes last state to create drug-monitoring plan

By Jim Salter | AP  July 17

ST. LOUIS — Missouri became the final state to create a prescription drug-monitoring program Monday when Republican Gov. Eric Greitens signed an executive order aimed at combatting a scourge that killed more than 900 residents last year.

The announcement surprised lawmakers, many of whom were unaware such a program was under consideration. Almost immediately, Democrats questioned whether the order goes far enough while some Republicans expressed concerns about privacy.

The monitoring program could be operating within a month, Missouri Department of Health and Senior Services director Randall Williams said.

Greitens signed the order following a news conference at Express Scripts, the St. Louis-based online pharmacy benefits manager that will help provide data analytics as part of the effort.

For many years, Missouri has been the lone holdout without a statewide program that tracks prescription drug scripts as part of the effort to combat doctor shopping and prescription opioid addiction. State lawmakers have considered drug monitoring programs repeatedly but legislation has failed, largely because of privacy concerns about keeping medical information in a database.

The new program will focus on analyzing prescription and dispensing data and will not use private medical information of patients, according to Greitens, who said penalties for doctors intentionally overprescribing opioids could range up to criminal charges or loss of a medical license.

“We have to look at this problem straight in the eye, and the fact is opioids are a modern plague,” the governor said.
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Greitens introduced parents who lost a son to an overdose just a month ago, then paused several seconds before speaking. His voice breaking, he said he lost a cousin to an opioid overdose last year.

“Towns are being hollowed out,” Greitens said. “Families are being ripped apart.”

He said that since lawmakers for years have failed to approve a program, his office looked at statutes and determined an executive order was legal. He noted that some other state PDMPs also were established through executive order.

Frustrated by a lack of a statewide monitoring program, St. Louis County started its own. Several other counties and St. Louis city joined in to a program that began earlier this year and now represents nearly 60 percent of Missouri’s population, Democratic St. Louis County Executive Steve Stenger said.

Stenger said in a statement that the program will continue “with the hope that whatever the governor proposes does nothing to hinder our progress.”

Democratic U.S. Sen. Claire McCaskill said in a statement she has “serious questions” about the value of the Greitens program if doctors and pharmacists don’t have access to the database.

“The welcome mat is still out for drug dealers to shop for prescriptions in our state,” McCaskill said. “The real solution here is for our elected officials in Jefferson City to get off the sidelines, and pass a robust statewide program into law that gives law enforcement, pharmacies, and doctors the tools they need.”

Greitens’ executive order caught state lawmakers off-guard. Democratic state Rep. Lauren Arthur of Kansas City, a supporter of a statewide PDMP, said she didn’t have enough information to know if the new program will be good or bad.

“Most of the lawmakers didn’t even have an idea this was going to happen today or happen at all,” Arthur said. “We all believe in our separate but equal branches of government. There is a role for the Legislature to play in developing this policy.”

Meanwhile, reaction from Republican lawmakers who have opposed PDMPs largely over privacy concerns was mixed.

State Rep. Kurt Bahr of St. Charles said his “initial reaction is to question whether or not (Greitens) has the legal authority for such an executive order, as well as if he’s not violating some sort of separation of powers because we did not appropriate any funds for the PDMP. So I don’t know if he can legally spend money that’s not appropriated.”

State Sen. Will Kraus of Lee’s Summit said he’ll be closely watching implementation of the new program.

“As long as it’s not tracking honest, law-abiding citizens, I probably will not have a problem with this,” Kraus said. “When it goes to the point where it says, ‘somebody who hasn’t done anything wrong is going to have their information in a database,’ that’s where I have concerns.”
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Greitens is making a series of announcements each day this week to address drug use and drug trafficking. He is speaking Tuesday in St. Louis, Wednesday in Cape Girardeau, Thursday in Springfield and Friday in Kansas City.

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AP reporter Summer Ballentine in Jefferson City, Missouri, contributed to this report.

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