

Wyoming Administrative Rules

**Pharmacy, Board of**

Commissioner of Drugs & Substances Control

Chapter 8: Prescription Drug Monitoring Program

**Effective Date:** 05/24/2023 to Current

**Rule Type:** Current Rules & Regulations

**Reference Number:** 059.0002.8.05242023

**PRESCRIPTION DRUG MONITORING PROGRAM**  
**CHAPTER 8**

**Section 1.** Authority.

These regulations are promulgated as authorized by the Wyoming Controlled Substances Act; W.S. 35-7-1001 through -1101.

**Section 2.** Scope.

This Chapter applies to all Wyoming controlled substance registrants and dispensers licensed by the Board of Pharmacy

**Section 3.** Definitions.

(a) "Drug of Concern" means any non-controlled substance prescription medication that is required to be reported into the prescription tracking program by the Board of Pharmacy as authorized by W.S. §35-7-1060(b).

(b) "Inpatient" (for the purposes of this chapter) means:

(i) The patient is physically located in a hospital, long term care facility, or correctional facility; or

(ii) The practitioner or his agent is administering a controlled substance directly to the patient as part of a procedure, whether or not the patient is physically located in a facility.

**Section 4.** Registration Requirements.

(a) Practitioners shall register with the controlled substances prescription tracking program (Wyoming PMP AWA<sup>R</sup>x<sup>E</sup>) if the practitioner is authorized to dispense any controlled substances in Schedules II through V.

(b) Practitioners shall register online at <https://wyoming.pmpaware.net/>; and

(c) Board staff shall approve the practitioner as a user after verifying the practitioner's registration.

(d) Each dispenser that dispenses a controlled substance listed in Schedule II, III, IV or V, or drug of concern to a person in this state who is not an inpatient shall register as a dispenser with the Wyoming PMP AWA<sup>R</sup>x<sup>E</sup> program.

**Section 5.** Required Reporting.

(a) Dispensers shall transmit the following required information into the PMP Clearinghouse:

- (i) Dispenser identification number;
- (ii) Patient date of birth;
- (iii) Patient gender;
- (iv) Date prescription was dispensed;
- (v) Prescription number;
- (vi) Prescription is new or is a refill. If the prescription was a refill, the date of the original dispensing;
- (vii) Quantity dispensed;
- (viii) Date the prescription was issued by the prescriber;
- (ix) Number of days supply dispensed;
- (x) NDC code number for drug dispensed;
- (xi) Prescriber identification number;
- (xii) Patient last name;
- (xiii) Patient first name;
- (xiv) If patient is an animal, the animal's name, species and the owner's last name;
- (xv) Patient street address;
- (xvi) Patient zip code; and
- (xvii) Method of third-party liability and/or payment.

(b) Dispensers shall report the information required pursuant to this Chapter for the following non-controlled substances:

- (i) Gabapentin; and
- (ii) Cyclobenzaprine.

(c) The dispenser shall ensure that, not later than the close of business on the business day immediately following the day the controlled substance, or drug of concern, was dispensed, the information required pursuant to this Chapter is reported into the PMP Clearinghouse.

(d) When a dispenser does not have any dispensations to report, the dispenser shall submit a “zero report” into the PMP Clearinghouse.

(e) Exemptions from reporting include certain inpatient health care settings.

(f) Each dispenser shall ensure that information reported to the PMP Clearinghouse is correct and shall submit corrections when necessary.

(g) Each dispenser shall reverse information for any prescription that was not dispensed.

**Section 6. Solicited Patient Profiles.**

(a) Occupational licensing boards in Wyoming that regulate practitioners who are authorized to dispense any controlled substances in Schedules II through V or other drugs of concern, may register with Wyoming PMP AWARxE to request licensee profiles from the Board as it relates to their investigation regarding their licensees’ practice.

(b) Pharmacists and practitioners shall register as users with Wyoming PMP AWARxE to request patient profiles where a pharmacist/patient, practitioner/patient relationship exists.

(i) Pharmacists or practitioners may appoint delegates to perform patient searches in Wyoming PMP AWARxE on their behalf.

(ii) The pharmacist or practitioner shall be responsible for the actions of their appointed delegates; and

(iii) The pharmacist or practitioner shall terminate the delegate’s access in Wyoming PMP AWARxE when the appointment has ended.

(iv) A pharmacist appointed delegate must be a pharmacy technician, pharmacy technician in training, or pharmacy intern, licensed by the Board, who is employed at the pharmacy where the pharmacist is employed.

(v) All practitioners, pharmacists, and delegates shall attest that inappropriate access or disclosure of this information is a violation of Wyoming Law and may result in disciplinary action and/or revocation of access privileges to Wyoming PMP AWARxE.

(vi) The Board staff shall discontinue access to any user whose license, DEA registration or WY Controlled Substance Registration has lapsed or been revoked or suspended.

(vii) The Board staff shall discontinue access to any user who fails to follow these regulations.

(c) Patients, or in the case of a minor, the minor's parent or guardian may request a copy of the patient's profile from the Board office provided:

(i) The requestor shall complete a notarized form provided by the Board; and

(ii) The notarized form may be faxed, emailed, or mailed to the Board office.

(d) Local, State, or Federal law enforcement may register with Wyoming PMP AWARxE to request information that is contained in the PMP as it relates to investigations regarding violations of the Wyoming Controlled Substances Act or the Federal Controlled Substances Act. Requests must contain:

(i) The purpose of the request, the date range requested, and the specific reasons for this request including investigation number, if applicable, must be included; and

(ii) A copy of the warrant or subpoena related to their investigation is uploaded into Wyoming PMP AWARxE as part of their request.

(e) A patient may authorize the release of their Wyoming PMP AWARxE profile to third party provided:

(i) The patient shall complete a notarized form provided by the Board; and

(ii) The notarized form may be faxed, emailed, or mailed to the Board office.

**Section 7.** Unsolicited Patient Profiles.

Board staff may generate patient profiles based on information showing use of controlled substances, within established parameters. Profiles generated will be emailed to each pharmacy and practitioner where the patient was seen. A letter of explanation will accompany each profile.

**Section 8.** Reports.

(a) Board staff shall maintain a register for solicited patient profile requests for five (5) years from the date of the request. The register shall include:

(i) Date request received;

(ii) Name of patient, patient's date of birth;

- (iii) Name, title, business, and address of the requestor; and
- (iv) Date profile was provided to the requestor.

(b) The Board shall maintain a register for five (5) years for any unsolicited patient profile generated by the Board. The register shall include:

- (i) Date generated;
- (ii) Criteria used for profile generation; and
- (iii) The pharmacies and practitioners that the unsolicited report was provided too.

(c) The Board shall maintain the database records for five (5) years and then archive de-identified records for research purposes.

**Section 9.** Statistical Profiles.

The Board may generate statistical profiles upon request, provided no patient/practitioner/pharmacy specific information is included. The Board shall charge a fee of \$500.00 per profile to any non-governmental agency.