

June 24, 2016

Weekly Legislative Wrap-Up

State of the States



In preparation for a ruling on whether or not Oklahoma's opt-out program is constitutional, the state's

Supreme Court Chief Justice **ruled** last week that the court will allow interested parties to file friend-of-the-court (amicus) briefs in support of the injured worker. The decision came as a result of an objection filed by Dillard's, the employer in the case, arguing the influx of supporting briefs for the injured worker was an attempt to add weight to one side of the argument.



Just two weeks out from the start of the second fiscal year without a budget and Speaker Michael Madigan

cancelled yet another House session. Meanwhile, a bipartisan group of legislators continue to work towards a compromise state budget. Governor Rauner is considering calling a special session over the summer to pass a stopgap budget that would allow schools to open in the fall and provide human services and public safety funding.



Article of Interest

Workers Compensation Research Institute (WCRI) issued a new **report** this week finding that long-term opioid use for injured workers decreased in Michigan, Maryland, New Jersey, New York, North Carolina, and Texas thanks to policy changes in those states. In Louisiana, currently 1 in 6 injured worker claims involves a long-term opioid, the highest in the country.



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In less than a week, a bill adopting several recommendations from the Heroin and Opioid

Task Force passed both houses of the legislature. Among its provisions, **A10727** would limit initial opioid prescriptions to a 7-day supply, similar to new laws in Massachusetts, Connecticut, and Maine. The bill also requires pharmacists to provide educational materials on the dangers of abusing controlled substances when dispensing such prescriptions.



This week two new bills were introduced in the New Jersey Assembly's Health and Senior

Services Committee. **A3980** would require all practitioners to enroll in one continuing education course regarding opioids before renewing their license. Additionally, **A3982**, would require all prescriptions be transmitted electronically. Earlier this year, New York became the first state in the country to mandate e-prescribing.



Legislation **expanding** the use of the state's Prescription Drug Monitoring Program (PDMP),

CURES, was amended to require a prescriber to consult the CURES database before an initial controlled substance prescription is written, and at least once every four months thereafter. The bill originally required only an annual check.

A California 2nd District Court of Appeals (DCA) **ruled** that the statutory requirement that an Independent Medical Review decision be issued within 30 days is discretionary, not a mandatory requirement for the review board. The Workers' Compensation Appeals Board (WCAB) has been split on the issue, and another challenge to the 30-day statute, *Hallmark Greeting Cards v. WCAB*, is pending before the 3rd DCA.



Where in the U.S.A. are Jayne & Danielle?

Jayne will be out of the office and will return the week of July 11. Danielle will be in the home office next week.



Questions, Concerns, Suggestions? Let Us Know.

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