

HR 1132

National All Schedules Prescription Electronic Reporting Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Health

Introduced: Mar 3, 2005

Current Status: Became Public Law No: 109-60.

Latest Action: Became Public Law No: 109-60. (Aug 11, 2005)

Law: 109-60 (Enacted Aug 11, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/1132>

Sponsor

Name: Rep. Whitfield, Ed [R-KY-1]

Party: Republican • **State:** KY • **Chamber:** House

Cosponsors (34 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Norwood, Charles W. [R-GA-9]	R · GA		Mar 3, 2005
Rep. Pallone, Frank, Jr. [D-NJ-6]	D · NJ		Mar 3, 2005
Rep. Strickland, Ted [D-OH-6]	D · OH		Mar 3, 2005
Del. Christensen, Donna M. [D-VI-At Large]	D · VI		Apr 26, 2005
Rep. Alexander, Rodney [R-LA-5]	R · LA		Apr 26, 2005
Rep. Bachus, Spencer [R-AL-6]	R · AL		Apr 26, 2005
Rep. Blunt, Roy [R-MO-7]	R · MO		Apr 26, 2005
Rep. Bono, Mary [R-CA-45]	R · CA		Apr 26, 2005
Rep. Chandler, Ben [D-KY-6]	D · KY		Apr 26, 2005
Rep. Dicks, Norman D. [D-WA-6]	D · WA		Apr 26, 2005
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Apr 26, 2005
Rep. Jindal, Bobby [R-LA-1]	R · LA		Apr 26, 2005
Rep. Kildee, Dale E. [D-MI-5]	D · MI		Apr 26, 2005
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		Apr 26, 2005
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Apr 26, 2005
Rep. Shays, Christopher [R-CT-4]	R · CT		Apr 26, 2005
Rep. Shimkus, John [R-IL-19]	R · IL		Apr 26, 2005
Rep. Stupak, Bart [D-MI-1]	D · MI		Apr 26, 2005
Rep. Wynn, Albert Russell [D-MD-4]	D · MD		Apr 26, 2005
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Apr 28, 2005
Rep. Pascrell, Bill, Jr. [D-NJ-8]	D · NJ		Apr 28, 2005
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		May 11, 2005
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		May 11, 2005
Rep. Rogers, Mike J. [R-MI-8]	R · MI		May 11, 2005
Rep. Wexler, Robert [D-FL-19]	D · FL		May 11, 2005
Rep. Ferguson, Mike [R-NJ-7]	R · NJ		May 17, 2005
Rep. Northup, Anne M. [R-KY-3]	R · KY		May 17, 2005
Rep. Bilirakis, Michael [R-FL-9]	R · FL		Jun 21, 2005
Rep. Brown, Sherrod [D-OH-13]	D · OH		Jun 21, 2005
Rep. Emanuel, Rahm [D-IL-5]	D · IL		Jun 21, 2005
Rep. Engel, Eliot L. [D-NY-17]	D · NY		Jun 21, 2005
Rep. Eshoo, Anna G. [D-CA-14]	D · CA		Jun 21, 2005
Rep. Souder, Mark E. [R-IN-3]	R · IN		Jun 23, 2005
Rep. Terry, Lee [R-NE-2]	R · NE		Jun 28, 2005

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Reported by	Jun 22, 2005

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
109 S 518	Related bill	Jul 29, 2005: Placed on Senate Legislative Calendar under General Orders. Calendar No. 187.

(This measure has not been amended since it was passed by the House on July 27, 2005. The summary of that version is repeated here.)

National All Schedules Prescription Electronic Reporting Act of 2005 - (Sec. 3) Amends the Public Health Service Act to require the Secretary of Health and Human Services to award grants to establish a controlled substance monitoring program in each state or to improve existing state programs. Sets forth a formula for determining grant amounts, which includes a ratio of pharmacies in a state to the number of pharmacies in all states.

Requires the Secretary to establish minimum requirements for criteria to be used by states for information security, uniform electronic formats for reporting information, database access and accuracy, and the use and disclosure of information.

Requires a state to submit a grant application that includes: (1) an agreement to adopt health information interoperability standards; (2) penalties for the unauthorized use and disclosure of information; (3) information that demonstrates that the state has enacted legislation or regulations permitting the implementation of such a monitoring program and the imposition of penalties; and (4) a description of the manner by which interoperability will be achieved with a program in a bordering state. Provides for the return of grant funds if a state ceases implementation or improvement of its program.

Requires an approved state to: (1) require a dispenser to report within one week of each dispensing of a controlled substance to an ultimate user; (2) report information in an electronic format specified by the Secretary; (3) establish and maintain a searchable electronic database; and (4) take security measures to protect database integrity. Allows the Secretary to make certain exceptions to the reporting requirements.

Allows a state to disclose information from the database and summary statistics in response to certain requests by: (1) medical practitioners; (2) law enforcement, narcotics control, licensure, disciplinary, or program authorities; (3) the controlled substance monitoring program of another state; and (4) agents of the Department of Health and Human Services (HHS), state Medicaid programs, state health departments, or the Drug Enforcement Agency (DEA).

Requires an approved state to establish a program to notify practitioners and dispensers of information that will help identify and prevent the unlawful diversion or misuse of controlled substances. Allows a state to notify the appropriate authorities if information in the database indicates such diversion or abuse.

Directs the Secretary to specify a uniform electronic format for the reporting, sharing, and disclosure of information.

Requires the Secretary to: (1) determine whether the implementation of such monitoring programs has had a substantial negative impact on patient access to treatment or enrollment in research or clinical trials; and (2) identify additional appropriate categories of exclusion from reporting to the extent that there has been such a negative impact.

Directs the Secretary to study and report to Congress on such monitoring programs, including: (1) state progress in implementing such programs; (2) the effect of such programs on inappropriate use, abuse, or diversion of controlled substances or on access to appropriate pain care; (3) interoperability of state programs; (4) the feasibility of implementing a real-time electronic controlled substance monitoring program; (5) privacy protections for program information; (6) the feasibility of implementing technological alternatives to centralized data storage; and (7) state penalties for unauthorized use and disclosure of program information.

Requires the Secretary to give preference to approved states in awarding any competitive grants related to drug abuse.

Allows a state to establish an advisory council to assist in the establishment, implementation, or improvement of such a monitoring program.

Authorizes appropriations.

Actions Timeline

- **Aug 11, 2005:** Signed by President.
- **Aug 11, 2005:** Signed by President.
- **Aug 11, 2005:** Became Public Law No: 109-60.
- **Aug 11, 2005:** Became Public Law No: 109-60.
- **Aug 4, 2005:** Presented to President.
- **Aug 4, 2005:** Presented to President.
- **Aug 2, 2005:** Message on Senate action sent to the House.
- **Jul 29, 2005:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(consideration: CR S9584)
- **Jul 29, 2005:** Passed Senate without amendment by Unanimous Consent. (consideration: CR S9584)
- **Jul 29, 2005:** Cleared for White House.
- **Jul 28, 2005:** Received in the Senate, read twice.
- **Jul 27, 2005:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 109-191.
- **Jul 27, 2005:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 109-191.
- **Jul 27, 2005:** Placed on the Union Calendar, Calendar No. 115.
- **Jul 27, 2005:** Mr. Deal (GA) moved to suspend the rules and pass the bill, as amended.
- **Jul 27, 2005:** Considered under suspension of the rules. (consideration: CR H6681-6686)
- **Jul 27, 2005:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1132.
- **Jul 27, 2005:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H6681-6683)
- **Jul 27, 2005:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H6681-6683)
- **Jul 27, 2005:** Motion to reconsider laid on the table Agreed to without objection. (consideration: CR S9584)
- **Jul 20, 2005:** Committee Consideration and Mark-up Session Held.
- **Jul 20, 2005:** Ordered to be Reported (Amended) by Voice Vote.
- **Jun 22, 2005:** Subcommittee Consideration and Mark-up Session Held.
- **Jun 22, 2005:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **Mar 22, 2005:** Referred to the Subcommittee on Health.
- **Mar 3, 2005:** Introduced in House
- **Mar 3, 2005:** Introduced in House
- **Mar 3, 2005:** Referred to the House Committee on Energy and Commerce.