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RULE ADOPTIONS

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Agency

LAW AND PUBLIC SAFETY > DIVISION OF CONSUMER AFFAIRS > OFFICE OF THE DIRECTOR

Administrative Code Citation

N.J.A.C. 13:45A-35.3

Text

Notice of Administrative Change

Notice of Requirement to Permanently Report Information for Gabapentin Prescriptions to Prescription Monitoring Program

Take notice that, in compliance with N.J.S.A. 45:1-47.a, the Acting Director of the Division of Consumer Affairs (Division) has determined that prescriptions for gabapentin shall be permanently monitored under the Prescription Monitoring Program (PMP).

Effective May 7, 2018, the Division adopted amendments to N.J.A.C. 13:45A-35 to require New Jersey licensed pharmacies and registered out-of-State pharmacies to electronically transmit information to the Division about prescriptions filled for gabapentin. In accordance with N.J.S.A. 45:1-47.a, N.J.A.C. 13:45A-35.3(a)2 provided that information for gabapentin prescriptions shall be collected and electronically transmitted for a one-year period until May 7, 2019, and at the conclusion of the one-year period, the Division shall determine and make public the decision whether the inclusion of gabapentin in the PMP shall be permanent.

The Director believes that the monitoring of prescriptions issued for gabapentin is warranted in light of concerns about the use of gabapentin for purposes other than those authorized under Federal law, and the potential side effects associated with the misuse of this medication. The dispensing data for gabapentin that has been collected reflects a high volume of gabapentin prescriptions and confirms the nationwide trend of increased usage in the medical community. Based upon this data and, due to the abusive potential of gabapentin, the Acting Director believes it is important to permanently capture prescriptions for gabapentin in the PMP.

Take further notice that, in accordance with the Acting Director's determination, the requirement to report prescriptions of gabapentin is permanent. Therefore, the Division is deleting N.J.A.C. 13:45A-35.3(a)2.

Regulations

Full text of the changed rule follows (deletions indicated in brackets [thus]):

[page=898] SUBCHAPTER 35. PRESCRIPTION MONITORING PROGRAM

13:45A-35.3 Pharmacy reporting requirements; electronic format

(a) A pharmacy filling a prescription for a Schedule II, III, IV, or V controlled dangerous substance, for human growth hormone, as defined in N.J.A.C. 13:45A-35.1, or for gabapentin, in an outpatient setting, shall collect and electronically transmit to the Division's PMP vendor on a daily basis information for each prescription, as specified in the New Jersey PMP Data Collection Manual.

1. (No change.)

[2. Consistent with the requirements of N.J.S.A. 45:1-47.a, information for gabapentin prescriptions shall be collected and electronically transmitted until May 7, 2019, a one-year period from the effective date of this regulation. At the conclusion of this one-year period, the Division shall determine and make public the decision whether the inclusion of gabapentin in the PMP shall be permanent.]