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CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE REFERENCE SERVICE  
JERRY L. BASSETT, DIRECTOR

(Pursuant to Code of Alabama, 1975, §41-22-6, as amended.)

I certify that the attached is/are correct copies of rule/s as promulgated and adopted on the 15th of October 2014, and filed with the agency secretary on the 20th day of October 2014.

AGENCY NAME: Alabama Department of Public Health

xxx Amendment      \_\_\_\_\_ New      \_\_\_\_\_ Repeal

Rule No.: 420-7-2-.13

Rule Title: Access To Database

ACTION TAKEN: Rule was adopted without changes from proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME **XXXII**, ISSUE NO. 11,  
**DATED AUGUST 29, 2014.**

STATUTORY RULE MAKING AUTHORITY: Code of Alabama, 1975, §22-20-5.

  
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Certifying Officer  
Pat Ivie

NOTE: In accordance with Code of Alabama, 1975, §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of notice.

REC'D & FILED

OCT 20 2014

LEGISLATIVE REF SERVICE

**420-7-2-.13 Access To Database.**

(1) Subject to the limitations provided in Section 20-2-214 of the *Code of Alabama 1975*, the following persons and entities may access the Prescription Drug Monitoring Program database:

- (a) Authorized representatives of the certifying boards;
- (b) Licensed practitioners who have the authority to prescribe, dispense, or administer controlled substances;
- (c) Designated employees of a licensed physician if the physician has the authority to prescribe, dispense, or administer controlled substances;
- (d) Licensed certified registered nurse practitioners, licensed certified nurse midwives, and licensed assistants to physicians who are authorized to prescribe, dispense, or administer controlled substances pursuant to a Qualified Alabama Controlled Substance Registration Certificate;
- (e) Licensed pharmacists;
- (f) Federal and Alabama law enforcement authorities;
- (g) Authorized representatives of the Alabama Medicaid Agency; and
- (h) Other persons listed in Section 20-2-214 of the *Code of Alabama 1975*.

(2) Law enforcement authorities shall pre-register with the Prescription Drug Monitoring Program to receive an ID and password to access a request form. To request a report from the Prescription Drug Monitoring Program, law enforcement authorities shall:

- (a) Identify the specific individual or health care licensee that is the subject of the request;
- (b) Certify that the request is pursuant to an active investigation; and
- (c) Declare that probable cause exists for the use of the requested information.

**Author:** Charles C. Thomas, R. Ph., State Pharmacy Director

**Statutory Authority:** Code of Ala. 1975, §22-21-20, et. seq.

**History: New Rule:** Filed October 20, 2005; effective November 24, 2005. **Amended:** Filed July 19, 2007; effective August 23, 2007. **Amended:** Filed November 13, 2007; effective December 18, 2007. **Amended:** Filed October 20, 2014; effective November 24, 2014.