Workers' Comp

Minnesota, Montana and Wyoming Pass Opioid Prescribing Limit Laws

June 18, 2019
3 MIN READ
Author profile image

Brian Allen

Vice President, Government Affairs

Opioids continue to garner the attention of policymakers across the country. States are looking at patient opioid agreements, warning labels, colored caps and informed consent. There were more than 90 opioid-related bills in state houses this year. While most of the state legislatures have adjourned for the year, in the flurry of activity on opioid-related laws, three more state legislatures passed bills restricting the prescribing of opioids for acute pain.

Minnesota

Governor Tim Walz signed HF 400, a comprehensive bill to adjust their response to the opioid epidemic in Minnesota. The bill:

- Establishes ground rules for how anticipated settlement money from their opioid lawsuit will be managed.
- Creates an opiate product registration and reporting requirement for drug manufacturers and distributors, requiring them to report the delivery of all opiates into the state.

In an effort to continue to address the opioid problem in Minnesota, the legislation also established the Opiate Epidemic Response Advisory Council, tasked with developing a statewide plan to address opioid addiction and overdose issues.

Of particular note to the workers' compensation and auto insurance industry, HF 400 implements opioid prescribing limits for acute pain.

- For adults, the initial opioid prescription is limited to seven days.
- For persons under 18 years of age, the initial prescription is limited to five days.
- The prescribing limits are effective on August 1, 2019, and apply to all aspects of health care, including workers' compensation and auto insurance claims.

Read the complete text of the bill here.

Montana

Representative Vince Ricci successfully sponsored HB 86. The bill imposes limits of seven days on opioids when being prescribed to opioid naive patients. Opioid naive patients are defined as individuals who have not received an opioid in the 90 days prior to the acute event. The prescribing limits are effective on October 1, 2019, and apply to all health care, including workers' compensation and auto insurance claims.

Read the complete text of the enrolled bill here.

Wyoming

Wyoming passed a short, 17-line bill limiting opioids to a seven-day supply when prescribed to an opioid naive patient. An opioid naive patient is defined as a patient who had not had an active opioid prescription in the preceding 45 days. The prescribing limits are effective on July 1, 2019, and apply to all health care, including workers' compensation and auto insurance claims.

Read the complete text of the bill here.

States Report Decreases in Prescribing of Opioids

There is evidence that some progress is being made as states report decreases in the prescribing of opioids. However, more needs to be done, and states will continue to explore options to help reduce addiction and overdose deaths associated with prescription opioids. A handful of state legislatures are still in session, and we expect that in some of those states, more opioid-related laws will be considered following their summer recesses.

For questions on these bills, or for other legislative or regulatory questions, please contact Brian Allen, Vice President of Government Affairs at Brian.Allen@mitchell.com or at 801.903.5754.

Regulatory updates are provided for informational purposes only. This update does not constitute legal advice. Readers of this update should contact their attorney if they wish to obtain advice with respect to any particular legal matter.



©2022 Enlyte Group, LLC.

mitchell | genex | coventry