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Submitted via E-Mail

RE: Laws 2018, Chapter 101, Section 3 - Physician Dispensing in Settings not Available to the General Public

Dear Ms. Kurth,

The Arizona Medical Association (ArMA) is a voluntary membership organization for all Arizona physicians. On behalf of member physicians, ArMA promotes leadership in the art and science of medicine and advocates for economically sustainable medical practices, the freedom to deliver care in the best interests of patients, and health for all Arizonans. On behalf of ArMA please accept these comments on physician dispensing.

Over the last several legislative sessions, Arizona's Legislature has taken very significant steps to enhance regulatory oversight on drug prescribing practices – for example, requiring that all physicians and other prescribers register with and use the Controlled Substance Prescription Monitoring Program (CSPMP) when prescribing specified controlled substances (opioids and benzodiazepines). Arizona already limits controlled substance physician dispensing, requires CSPMP reporting of what controlled substances are dispensed, and mandates review of the CSPMP prior to controlled substance prescribing or dispensing.

These recent regulatory changes have already begun to cause major curtailments in drug prescribing practices by physicians and other prescribers in Arizona. ArMA strongly suggests that the Commission study the outcome of these regulatory changes and allow time for full CSPMP compliance.

While SB 1111 aligns the prohibition on dispensing a schedule II opioid with the Arizona Opioid Epidemic Act, it may not be in the patients' best interest to eliminate physician dispensing entirely. Physician dispensing may be helpful during the first seven to 14 days after injury when the worker's compensation claim may not yet be established.

Thank you for your diligence in this matter and we look forward to receiving recommendations from the Industrial Commission of Arizona on this important issue.

Sincerely,

Marc Leib, MD, JD  
Legislative and Governmental Affairs Chair

Libby McDannell, CAE  
Executive Vice President of the Arizona Medical Association