





1 "Authentication" means the process of verifying the  
2 identity and credentials of a person before authorizing access  
3 to prescription data.

4 "Authorize" means the process by which a person is granted  
5 access privileges to prescription data.

6 "Bylaws" means those bylaws established by the interstate  
7 commission pursuant to article VIII for its governance, or for  
8 directing or controlling its actions and conduct.

9 "Commissioner" means the voting representative appointed by  
10 each member state pursuant to article VI of this compact.

11 "Interstate commission" or "commission" means the  
12 interstate commission created pursuant to article VI of this  
13 compact.

14 "Member state" means any state that has adopted a  
15 prescription monitoring program and has enacted the enabling  
16 compact legislation.

17 "Practitioner" means a person licensed, registered, or  
18 otherwise permitted to prescribe or dispense a prescription  
19 drug.



1 "Prescription data" means data transmitted by a  
2 prescription monitoring program that contains patient,  
3 prescriber, dispenser, and prescription drug information.

4 "Prescription drug" means any drug required to be reported  
5 to a state prescription monitoring program and which includes  
6 but is not limited to substances listed in the federal  
7 Controlled Substances Act.

8 "Prescription monitoring program" means a program that  
9 collects, manages, analyzes, and provides prescription data  
10 under the auspices of a state.

11 "Requestor" means a person authorized by a member state who  
12 has initiated a request for prescription data.

13 "Rule" means a written statement by the interstate  
14 commission promulgated pursuant to article VII of this compact  
15 that is of general applicability, implements, interprets, or  
16 prescribes a policy or provision of the compact, or an  
17 organizational, procedural, or practice requirement of the  
18 commission, and has the force and effect of statutory law in a  
19 member state, and includes the amendment, repeal, or suspension  
20 of an existing rule.



1 "State" means any state, commonwealth, district, or  
2 territory of the United States.

3 "Technology infrastructure" means the design, deployment,  
4 and use of both individual technology based components and the  
5 systems of these components to facilitate the transmission of  
6 information and prescription data among member states.

7 "Transmission" means the release, transfer, provision, or  
8 disclosure of information or prescription data among member  
9 states.

10 ARTICLE III

11 AUTHORIZED USES AND RESTRICTIONS ON THE PRESCRIPTION DATA

12 § -5 Prescription data; uses and restrictions. (a)

13 Under the prescription monitoring program compact a member  
14 state:

15 (1) Retains its authority and autonomy over its  
16 prescription monitoring program and prescription data  
17 in accordance with its laws, regulations, and  
18 policies;

19 (2) May provide, restrict, or deny prescription data to a  
20 requestor of another state in accordance with its  
21 laws, regulations, and policies;



1           (3) May provide, restrict, or deny prescription data  
2                   received from another state to a requestor within that  
3                   state; and

4           (4) Has the authority to determine which requestors shall  
5                   be authorized.

6           (b) Prescription data obtained by a member state pursuant  
7 to this compact shall have the following restrictions:

8           (1) Be used solely for purposes of providing the  
9                   prescription data to a requestor; and

10          (2) Not be stored in the state's prescription monitoring  
11               program database, except for stored images, nor in any  
12               other database.

13          (c) A state may limit the categories of requestors of  
14 another member state that will receive prescription data.

15          (d) The commission shall adopt rules establishing  
16 standards for requestor authentication including the following:

17          (1) Every member state shall authenticate requestors  
18               according to the rules established by the commission;

19          (2) A member state may authorize its requestors to request  
20 prescription data from another member state only after  
21 the requestor has been authenticated; and





1           (b) The interstate commission may levy on and collect  
2 annual dues from each member state to cover the cost of  
3 operations and activities of the interstate commission and its  
4 staff, which shall be in a total amount sufficient to cover the  
5 interstate commission's annual budget as approved each year.  
6 The aggregate annual dues amount shall be allocated in an  
7 equitable manner and may consist of a fixed fee component as  
8 well as a variable fee component based upon a formula to be  
9 determined by the interstate commission, which shall adopt a  
10 rule binding upon all member states. The formula shall take  
11 into account factors including, but not limited to, the total  
12 number of practitioners or licensees within a member state.  
13 Fees established by the commission may be recalculated and  
14 assessed on an annual basis.

15           (c) Notwithstanding the above or any other provision of  
16 law, the interstate commission may accept non-state funding,  
17 including grants, awards and contributions to offset, in whole  
18 or in part, the costs of the annual dues required under  
19 subsection (b).

20           (d) The interstate commission shall not incur obligations  
21 of any kind prior to securing the funds adequate to meet the





1 same; nor shall the interstate commission pledge the credit of  
2 any of the member states, except by and with the authority of  
3 the member states.

4 (e) The interstate commission shall keep accurate accounts  
5 of all receipts and disbursements subject to the audit and  
6 accounting procedures established under its bylaws. All  
7 receipts and disbursements of funds handled by the interstate  
8 commission shall be audited annually by a certified or licensed  
9 public accountant and the report of the audit shall be included  
10 in and become part of the annual report of the interstate  
11 commission.

## 12 ARTICLE VI

### 13 INTERSTATE COMMISSION

14 § -20 Interstate commission; establishment. (a) The  
15 member states hereby create the interstate prescription  
16 monitoring program commission. The prescription monitoring  
17 program compact shall be governed by an interstate commission  
18 comprised of the member states and not by a third-party group or  
19 federal agency. The activities of the commission are the  
20 formation of public policy and are a discretionary state  
21 function.



1           (b) The commission shall be a body corporate and joint  
2 agency of the member states and shall have all the  
3 responsibilities, powers and duties set forth herein, and  
4 additional powers as may be conferred upon it by a subsequent  
5 concurrent action of the respective legislatures of the member  
6 states in accordance with the terms of this compact.

7           (c) The commission shall consist of one voting  
8 representative from each member state who shall be that state's  
9 appointed compact commissioner and who is empowered to determine  
10 statewide policy related to matters governed by this compact.  
11 The compact commissioner shall be a policymaker within the  
12 agency that houses the state's prescription monitoring program.

13           (d) In addition to the state commissioner, the state shall  
14 appoint a non-voting advisor who shall be a representative of  
15 the state prescription monitoring program.

16           (e) In addition to the voting representatives and non-  
17 voting advisor of each member state, the commission may include  
18 persons who are not voting representatives, but who are members  
19 of interested organizations as determined by the commission.

20           (f) Each member state represented at a meeting of the  
21 commission is entitled to one vote. A majority of the member



1 states shall constitute a quorum for the transaction of  
2 business, unless a larger quorum is required by the bylaws of  
3 the commission. A representative shall not delegate a vote to  
4 another member state. In the event the compact commissioner is  
5 unable to attend a meeting of the commission, the appropriate  
6 appointing authority may delegate voting authority to another  
7 person from their state for a specified meeting. The bylaws may  
8 provide for meetings of the commission to be conducted by  
9 electronic communication.

10 (g) The commission shall meet at least once each calendar  
11 year. The chairperson may call additional meetings and, upon  
12 the request of a simple majority of the compacting states, shall  
13 call additional meetings.

14 (h) The commission shall establish an executive committee,  
15 which shall include officers, members, and others as determined  
16 by the bylaws. The executive committee shall have the power to  
17 act on behalf of the commission, with the exception of  
18 rulemaking. During periods when the commission is not in  
19 session the executive committee shall oversee the administration  
20 of the compact, including enforcement and compliance with the



1 provisions of the compact, its bylaws and rules, and other  
2 duties as deemed necessary.

3 (i) The commission shall maintain a robust committee  
4 structure for governance (i.e., policy, compliance, education,  
5 technology, etc.) and shall include specific opportunities for  
6 stakeholder input.

7 (j) The commission's bylaws and rules shall establish  
8 conditions and procedures under which the commission shall make  
9 its information and official records available to the public for  
10 inspection or copying. The commission may exempt from  
11 disclosure information or official records that would adversely  
12 affect personal privacy rights or proprietary interests.

13 (k) The commission shall provide public notice of all  
14 meetings and all meetings shall be open to the public, except as  
15 set forth in the rules or as otherwise provided in the compact.  
16 The commission may close a meeting, or portion thereof, where it  
17 determines by a two-thirds vote of the members present that an  
18 open meeting would be likely to:

19 (1) Relate solely to the commission's internal personnel  
20 practices and procedures;



- 1           (2) Discuss matters specifically exempted from disclosure  
2           by federal and state statute;
- 3           (3) Discuss trade secrets or commercial or financial  
4           information which is privileged or confidential;
- 5           (4) Involve accusing a person of a crime, or formally  
6           censuring a person;
- 7           (5) Discuss information of a personal nature where  
8           disclosure would constitute a clearly unwarranted  
9           invasion of personal privacy;
- 10          (6) Discuss investigative records compiled for law  
11          enforcement purposes; or
- 12          (7) Specifically relate to the commission's participation  
13          in a civil action or other legal proceeding.
- 14          (1) For a meeting, or portion of a meeting, closed  
15 pursuant to subsection (k), the commission's legal counsel or  
16 designee shall certify that the meeting may be closed and shall  
17 reference each relevant exemptive provision. The commission  
18 shall keep minutes that shall fully and clearly describe all  
19 matters discussed in a meeting and shall provide a full and  
20 accurate summary of actions taken, and the reasons therefore,  
21 including a description of the views expressed and the record of



1 a roll call vote. All documents considered in connection with  
2 an action shall be identified in the minutes. All minutes and  
3 documents of a closed meeting shall remain under seal, subject  
4 to release by a majority vote of the commission.

5 **ARTICLE VII**

6 **POWERS AND DUTIES OF THE INTERSTATE COMMISSION**

7 § -25 Interstate commission; powers and duties. The  
8 commission shall have the following powers and duties:

- 9 (1) To oversee and maintain the administration of the  
10 technology infrastructure;
- 11 (2) To adopt rules and take all necessary actions to  
12 effect the goals, purposes and obligations as  
13 enumerated in this compact, provided that no member  
14 state shall be required to create an advisory  
15 committee. The rules shall have the force and effect  
16 of statutory law and shall be binding in the member  
17 states to the extent and in the manner provided in  
18 this compact;
- 19 (3) To establish a process for member states to notify the  
20 commission of changes to a state's prescription  
21 monitoring program statutes, regulations, or policies.



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- 1           This applies only to changes that would affect the  
2           administration of the compact;
- 3           (4) To issue, upon request of a member state, advisory  
4           opinions concerning the meaning or interpretation of  
5           the interstate compact, its bylaws, rules, and  
6           actions;
- 7           (5) To enforce compliance with the compact provisions, the  
8           rules promulgated by the interstate commission, and  
9           the bylaws, using all necessary and proper means,  
10          including but not limited to, the use of judicial  
11          process;
- 12          (6) To establish and maintain one or more offices;
- 13          (7) To purchase and maintain insurance and bonds;
- 14          (8) To borrow, accept, hire, or contract for personnel or  
15          services;
- 16          (9) To establish and appoint committees including, but not  
17          limited to, an executive committee as required by  
18          section     -20(h), which shall have the power to act  
19          on behalf of the interstate commission in carrying out  
20          its powers and duties hereunder;



- 1           (10) To elect or appoint officers, attorneys, employees,  
2                   agents, or consultants, and to fix their compensation,  
3                   define their duties and determine their  
4                   qualifications; and to establish the interstate  
5                   commission's personnel policies and programs relating  
6                   to conflicts of interest, rates of compensation, and  
7                   qualifications of personnel;
- 8           (11) To seek and accept donations and grants of money,  
9                   equipment, supplies, materials, and services, and to  
10                  utilize or dispose of them;
- 11           (12) To lease, purchase, accept contributions or donations  
12                  of, or otherwise to own, hold, improve, or use any  
13                  property, real, personal, or mixed;
- 14           (13) To sell, convey, mortgage, pledge, lease, exchange,  
15                  abandon, or otherwise dispose of any property, real,  
16                  personal or mixed;
- 17           (14) To establish a budget and make expenditures;
- 18           (15) To adopt a seal and bylaws governing the management  
19                  and operation of the interstate commission;
- 20           (16) To report annually to the legislatures, governors, and  
21                  attorneys general of the member states concerning the





1 activities of the interstate commission during the  
2 preceding year. The reports shall also include any  
3 recommendations that may have been adopted by the  
4 interstate commission and shall be made publicly  
5 available;

6 (17) To coordinate education, training and public awareness  
7 regarding the compact, its implementation, and  
8 operation;

9 (18) To maintain books and records in accordance with the  
10 bylaws;

11 (19) To perform functions as may be necessary or  
12 appropriate to achieve the purposes of this compact;  
13 and

14 (20) To provide for dispute resolution among member states.

15 **ARTICLE VIII**

16 **ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION**

17 § -30 Interstate commission; organization and operation.

18 (a) The interstate commission shall, by a majority of the  
19 members present and voting, within twelve months after the first  
20 interstate commission meeting, adopt bylaws to govern its



1 conduct as may be necessary or appropriate to carry out the  
2 purposes of the compact, including but not limited to:

- 3 (1) Establishing the fiscal year of the interstate  
4 commission;
- 5 (2) Establishing an executive committee, and such other  
6 committees as may be necessary for governing any  
7 general or specific delegation of authority or  
8 function of the interstate commission;
- 9 (3) Providing procedures for calling and conducting  
10 meetings of the interstate commission, and ensuring  
11 reasonable notice of each meeting;
- 12 (4) Establishing the titles and responsibilities of the  
13 officers and staff of the interstate commission; and
- 14 (5) Providing a mechanism for concluding the operations of  
15 the interstate commission and the return of surplus  
16 funds that may exist upon the termination of the  
17 compact after the payment and reserving of all of its  
18 debts and obligations.

19 (b) The interstate commission, by a majority of the  
20 members present, shall elect annually from among its members a  
21 chairperson, a vice-chairperson, and a treasurer, each of whom



1 shall have the authority and duties as may be specified in the  
2 bylaws. The chairperson or, in the chairperson's absence or  
3 disability, the vice-chairperson, shall preside at all meetings  
4 of the interstate commission. The officers so elected shall  
5 serve without compensation or remuneration from the interstate  
6 commission; provided that, subject to the availability of  
7 budgeted funds, the officers shall be reimbursed for ordinary  
8 and necessary costs and expenses incurred by them in the  
9 performance of their responsibilities as officers of the  
10 interstate commission.

11 (c) The executive committee shall have the authority and  
12 duties as may be set forth in the bylaws, including but not  
13 limited to:

- 14 (1) Managing the affairs of the interstate commission in a  
15 manner consistent with the bylaws and purposes of the  
16 interstate commission;
- 17 (2) Overseeing an organizational structure within, and  
18 appropriate procedures for the interstate commission  
19 to provide for the administration of the compact; and
- 20 (3) Planning, implementing, and coordinating  
21 communications and activities with other state,



1 federal and local government organizations in order to  
2 advance the purpose of the interstate commission.

3 (d) The executive committee, subject to the approval of  
4 the interstate commission, may appoint or retain an executive  
5 director for a period, upon terms and conditions and for  
6 compensation, as the interstate commission may deem appropriate.  
7 The executive director shall serve as secretary to the  
8 interstate commission, but shall not be a member of the  
9 interstate commission. The executive director shall hire and  
10 supervise other persons as may be authorized by the interstate  
11 commission.

12 (e) The interstate commission's executive director and its  
13 employees shall be immune from suit and liability, either  
14 personally or in their official capacity, for a claim for damage  
15 to or loss of property or personal injury or other civil  
16 liability caused or arising out of or relating to an actual or  
17 alleged act, error, or omission that occurred, or that the  
18 person had a reasonable basis for believing occurred, within the  
19 scope of interstate commission employment, duties, or  
20 responsibilities; provided that the person shall not be  
21 protected from suit or liability for damage, loss, injury, or



1 liability caused by the intentional or wilful and wanton  
2 misconduct of the person.

3 (f) The liability of the interstate commission's executive  
4 director and employees or interstate commission representatives,  
5 acting within the scope of the person's employment or duties for  
6 acts, errors, or omissions occurring within the person's state  
7 may not exceed the limits of liability set forth under the  
8 constitution and laws of that state for state officials,  
9 employees, and agents. The interstate commission is considered  
10 to be an instrumentality of the states for the purposes of any  
11 such action. Nothing in this subsection shall be construed to  
12 protect the person from suit or liability for damage, loss,  
13 injury, or liability caused by the intentional or wilful and  
14 wanton misconduct of the person.

15 (g) The interstate commission shall defend the executive  
16 director, its employees, and subject to the approval of the  
17 attorney general or other appropriate legal counsel of the  
18 member state represented by an interstate commission  
19 representative, shall defend the interstate commission  
20 representative in any civil action seeking to impose liability  
21 arising out of an actual or alleged act, error or omission that



1 occurred within the scope of interstate commission employment,  
2 duties or responsibilities, or that the defendant had a  
3 reasonable basis for believing occurred within the scope of  
4 interstate commission employment, duties, or responsibilities;  
5 provided that the actual or alleged act, error, or omission did  
6 not result from intentional or wilful and wanton misconduct on  
7 the part of the person.

8 (h) To the extent not covered by the state involved,  
9 member state, or the interstate commission, the representatives  
10 or employees of the interstate commission shall be held harmless  
11 in the amount of a settlement or judgment, including attorney's  
12 fees and costs, obtained against such persons arising out of an  
13 actual or alleged act, error, or omission that occurred within  
14 the scope of interstate commission employment, duties, or  
15 responsibilities, or that the persons had a reasonable basis for  
16 believing occurred within the scope of interstate commission  
17 employment, duties, or responsibilities; provided that the  
18 actual or alleged act, error, or omission did not result from  
19 intentional or wilful and wanton misconduct on the part of the  
20 persons.





1 otherwise prevent the rule from becoming effective unless the  
2 court finds that the petitioner has a substantial likelihood of  
3 success. The court shall give deference to the actions of the  
4 interstate commission consistent with applicable law and shall  
5 not find the rule to be unlawful if the rule represents a  
6 reasonable exercise of the interstate commission's authority.

7 **ARTICLE X**

8 **OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION**

9 § -40 Oversight. (a) The executive, legislative, and  
10 judicial branches of state government in each member state shall  
11 enforce this compact and shall take all actions necessary and  
12 appropriate to effectuate the compact's purposes and intent.  
13 The provisions of this compact and the rules adopted hereunder  
14 shall have standing as statutory law but, shall not override the  
15 state's authority to govern prescription drugs or the state's  
16 prescription monitoring program.

17 (b) All courts shall take judicial notice of the compact  
18 and the rules in any judicial or administrative proceeding in a  
19 member state pertaining to the subject matter of this compact  
20 that may affect the powers, responsibilities or actions of the  
21 interstate commission.





1           (c) The interstate commission shall be entitled to receive  
2 all service of process in any proceeding, and shall have  
3 standing to intervene in the proceeding for all purposes.  
4 Failure to provide service of process to the interstate  
5 commission shall render a judgment or order void as to the  
6 interstate commission, this compact or adopted rules.

7           § -41 **Default, technical assistance, suspension, and**  
8 **termination.** (a) If the interstate commission determines that  
9 a member state has defaulted in the performance of its  
10 obligations or responsibilities under this compact, or the  
11 bylaws or adopted rules, the interstate commission shall:

12           (1) Provide written notice to the defaulting state and  
13 other member states, of the nature of the default, the  
14 means of curing the default and any action taken by  
15 the interstate commission. The interstate commission  
16 shall specify the conditions by which the defaulting  
17 state must cure its default; and

18           (2) Provide remedial training and specific technical  
19 assistance regarding the default.

20           (b) If the defaulting state fails to cure the default, the  
21 defaulting state shall be terminated from the compact upon an



1 affirmative vote of a majority of the member states and all  
2 rights, privileges and benefits conferred by this compact shall  
3 be terminated from the effective date of termination. A cure of  
4 the default does not relieve the offending state of obligations  
5 or liabilities incurred during the period of the default.

6 (c) Suspension or termination of membership in the compact  
7 shall be imposed only after all other means of securing  
8 compliance have been exhausted. Notice of intent to suspend or  
9 terminate shall be given by the interstate commission to the  
10 governor, the majority and minority leaders of the defaulting  
11 state's legislature, and each of the member states.

12 (d) The state which has been suspended or terminated is  
13 responsible for all dues, obligations and liabilities incurred  
14 through the effective date of suspension or termination  
15 including obligations, the performance of which extends beyond  
16 the effective date of suspension or termination.

17 (e) The interstate commission shall not bear any costs  
18 relating to any state that has been found to be in default or  
19 that has been suspended or terminated from the compact, unless  
20 otherwise mutually agreed upon in writing between the interstate  
21 commission and the defaulting state.



1           (f) The defaulting state may appeal the action of the  
2 interstate commission by petitioning the United States District  
3 Court for the District of Columbia or the federal district where  
4 the interstate commission has its principal offices. The  
5 prevailing party shall be awarded all costs of the litigation  
6 including reasonable attorney's fees.

7           § -42 **Dispute resolution.** (a) The interstate  
8 commission shall attempt, upon the request of a member state, to  
9 resolve disputes that are subject to the compact and that may  
10 arise among member states.

11           (b) The interstate commission shall adopt a rule providing  
12 for both mediation and binding dispute resolution as  
13 appropriate.

14           § -43 **Enforcement.** (a) The interstate commission, in  
15 the reasonable exercise of its discretion, shall enforce the  
16 provisions and rules of this compact.

17           (b) The interstate commission, may by majority vote of the  
18 members, initiate legal action in the United States District  
19 Court for the District of Columbia or, at the discretion of the  
20 interstate commission, in the federal district where the  
21 interstate commission has its principal offices, to enforce



1 compliance with the provisions of the compact, its adopted rules  
2 and bylaws, against a member state in default. The relief  
3 sought may include both injunctive relief and damages. If  
4 judicial enforcement is necessary the prevailing party shall be  
5 awarded all costs of the litigation, including reasonable  
6 attorney's fees.

7 (c) The remedies herein shall not be the exclusive  
8 remedies of the interstate commission. The interstate  
9 commission may avail itself of any other remedies available  
10 under state law or the regulation of a profession.

#### 11 ARTICLE XI

#### 12 MEMBER STATES, EFFECTIVE DATE, AND AMENDMENT

13 § -45 **Membership.** (a) Any state that has enacted  
14 prescription monitoring program legislation through statute or  
15 regulation is eligible to become a member state of this compact.

16 (b) The compact shall become effective and binding upon  
17 legislative enactment of the compact into law by no less than  
18 six of the states. Thereafter it shall become effective and  
19 binding on a state upon enactment of the compact into law by  
20 that state. The governors of non-member states or their  
21 designees shall be invited to participate in the activities of



1 the interstate commission on a non-voting basis prior to  
2 adoption of the compact by all states.

3 (c) The interstate commission may propose amendments to  
4 the compact for enactment by the member states. No amendment  
5 shall become effective and binding upon the interstate  
6 commission and the member states unless and until it is enacted  
7 into law by unanimous consent of the member states.

#### 8 ARTICLE XII

#### 9 WITHDRAWAL AND DISSOLUTION

10 § -50 Membership; withdrawal. (a) Once effective, the  
11 compact shall continue in force and remain binding upon each and  
12 every member state; provided that a member state may withdraw  
13 from the compact by specifically repealing the statute that  
14 enacted the compact into law.

15 (b) Withdrawal from this compact shall be by the enactment  
16 of a statute repealing the same, but shall not take effect until  
17 one year after the effective date of the statute and until  
18 written notice of the withdrawal has been given by the  
19 withdrawing state to the governor of each other member state.

20 (c) The withdrawing state shall immediately notify the  
21 chairperson of the interstate commission in writing upon the



1 introduction of legislation repealing this compact in the  
2 withdrawing state. The interstate commission shall notify the  
3 other member states of the withdrawing state's intent to  
4 withdraw within sixty days of its receipt thereof.

5 (d) The withdrawing state is responsible for all dues,  
6 obligations, and liabilities incurred through the effective date  
7 of withdrawal, including obligations, the performance of that  
8 extend beyond the effective date of withdrawal.

9 (e) Reinstatement following withdrawal of a member state  
10 shall occur upon the withdrawing state reenacting the compact or  
11 upon such later date as determined by the interstate commission.

12 § -51 **Dissolution of the compact.** (a) This compact  
13 shall dissolve effective upon the date of the withdrawal or  
14 default of the member state that reduces the membership in the  
15 compact to one member state.

16 (b) Upon the dissolution of this compact, the compact  
17 becomes null and void and shall be of no further force or  
18 effect, and the business and affairs of the interstate  
19 commission shall be concluded and surplus funds shall be  
20 distributed in accordance with the bylaws.

21 **ARTICLE XIII**



SEVERABILITY AND CONSTRUCTION

§ -55 Compact; severability and construction. (a) The provisions of this compact are severable, and if any phrase, clause, sentence or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.

(b) The provisions of this compact shall be liberally construed to effectuate its purposes.

(c) Nothing in this compact shall be construed to prohibit the applicability of other interstate compacts to which the states are members.

ARTICLE XIV

BINDING EFFECT OF COMPACT AND OTHER LAWS

§ -60 Effect of compact. (a) Other laws. Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with this compact.

(b) Binding effect of the compact.

(1) All lawful actions of the interstate commission, including all rules and bylaws adopted by the interstate commission, are binding upon the member states.



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1 (2) All agreements between the interstate commission and  
2 the member states are binding in accordance with their  
3 terms.

4 (3) If any provision of this compact exceeds the  
5 constitutional limits imposed on the legislature of  
6 any member state, the provision shall be ineffective  
7 to the extent of the conflict with the constitutional  
8 provision in question in that member state.

9 § -61 **Appointment under compact.** The governor shall be  
10 the appointing authority for those appointments the state is  
11 entitled to make under section -60; provided that all  
12 appointments shall be subject to the advice and consent by the  
13 senate."

14 SECTION 2. This Act shall take effect on July 1, 2015.

15

INTRODUCED BY:

*Cindy Evans*

*Richard Long*  
*Walter A. Ruff*

JAN 22 2015





# H.B. NO. 251

**Report Title:**

Prescription Monitoring; Interstate Compact

**Description:**

Adopts the interstate compact on prescription monitoring.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

