

Kentucky State Monitor

State Overview Relating to Prescribing of Controlled Substances to Treat Pain and Clinical Drug Testing

Does Kentucky have a Prescription Drug Monitoring Program?

Yes. Kentucky has KASPER, or the Kentucky All-Schedule Prescription Electronic Reporting Program. The program tracks controlled substance prescriptions dispensed within the state. A KASPER report shows all scheduled prescriptions for an individual over a specified time period, the prescriber and the dispenser. KASPER is designed to be a source of information for practitioners and pharmacists and an investigative tool for law enforcement and regulatory agencies. Kentucky practitioners should carefully review these materials. The Kentucky Board of Medical Licensure (KBML) has issued an Opinion Statement on Physician Use of KASPER reports.

Does Kentucky have a Pain Clinic Registration Act?

Yes. HB 1 authorized the KBML to promulgate rules associated with the registration of pain management facilities. These rules are very specific and those involved in facilities providing pain management should ensure they are compliant with the same.

Does Kentucky have an Opioid Prescribing Rule?

Yes. HB 1 authorized the KBML to promulgate rules relating to the prescribing of controlled substances for pain management. KBML adopted the rule embodied in 201 KAR 9:620. The rule contains very specific requirements associated with the long-term prescribing of controlled substances. The rule also contains basic references to prescribing in the context of acute pain management and makes distinctions between the requirements for

prescribing controlled substances to address acute versus chronic medical conditions causing pain. Finally, the rule contains very specific guidance by KBML relating to the use of urine drug testing in chronic pain management. The table below summarizes this guidance.

Patient Risk Level or Aberrant Behavior	KBML Guidance on Testing Intervals
Low Risk	At least 1x per 12 months
Moderate Risk	At least 2x per 12 months
High Risk	At least 3x to 4x per 12 months
<i>Exhibited Aberrant Behavior, e.g., multiple lost prescriptions, multiple requests for early refills, receiving opioids from multiple providers per KASPER report, unauthorized dose escalation, and apparent intoxication.</i>	At each office visit if the patient exhibits any of the example behaviors (or similar) as documented in the medical record.

KBML DOES NOT mandate or require urine drug screens prior to acute prescribing.

The KBML also has a webpage dedicated to its Opinion and Policy Statements. Links on this webpage will take the reader to opinion statements on various topics, including the Use of Suboxone and Burprenorphine and KASPER reports.

On the Horizon

Kentucky has no pain-related legislation pending at this time.

IMPORTANT NOTICE TO READERS

Quest Diagnostics does not intend for this document to impart any legal advice. The document is intended to be educational and readers are encouraged to review this information with qualified legal counsel before taking any action relative to controlled substance prescribing and clinical drug testing.

Does Kentucky have guidance on the Treatment of Opioid Addiction in the Medical Office? Do these materials make reference to drug testing as part of the patient treatment plan?

No. Kentucky prescribers may wish to consult the FSMB's 2013 Model Policy on the Office Based Treatment of Opioid Addiction. This document contains multiple references to clinical drug testing in this patient population and may supply some additional guidance and insight to monitoring.

Quick Links & Resources

Kentucky Materials

[Kentucky Board of Medical Licensure \(KBML\)](http://kbml.ky.gov/Pages/default.aspx)

<http://kbml.ky.gov/Pages/default.aspx>

[KBML - Medical Practice Act](http://kbml.ky.gov/board/Pages/Kentucky-Medical-Practice-Act-Statutes-and-Regulations.aspx)

<http://kbml.ky.gov/board/Pages/Kentucky-Medical-Practice-Act-Statutes-and-Regulations.aspx>

[KBML Opinion and Policy Statements](http://kbml.ky.gov/board/Pages/Opinion-and-Policy-Statements.aspx)

<http://kbml.ky.gov/board/Pages/Opinion-and-Policy-Statements.aspx>

[KBML Substance Abuse Resources](http://kbml.ky.gov/substance-abuse/Pages/default.aspx)

<http://kbml.ky.gov/substance-abuse/Pages/default.aspx>

[Kentucky Pain Clinic Registration](http://kbml.ky.gov/pain-management-facility/Pages/default.aspx)

<http://kbml.ky.gov/pain-management-facility/Pages/default.aspx>

[HB 1](http://kbml.ky.gov/hb1/Pages/House-Bill-1-Ordinary-Regulations.aspx)

<http://kbml.ky.gov/hb1/Pages/House-Bill-1-Ordinary-Regulations.aspx>

[201 KAR 9:620 - Mandatory Prescribing Requirements and Professional Standards Relating to Prescribing and Dispensing Controlled Substances](http://www.lrc.ky.gov/kar/201/009/260.htm)

<http://www.lrc.ky.gov/kar/201/009/260.htm>

[HB 1 - Considerations for Urine Drug Screening](http://kbml.ky.gov/hb1/Pages/Considerations-For-Urine-Drug-Screening.aspx)

<http://kbml.ky.gov/hb1/Pages/Considerations-For-Urine-Drug-Screening.aspx>

[Kentucky All-Schedule Prescription Electronic Reporting Program \(KASPER\)](http://www.chfs.ky.gov/os/oig/KASPER.htm)

<http://www.chfs.ky.gov/os/oig/KASPER.htm>

[Kentucky Substance Abuse Assistance Information](http://www.chfs.ky.gov/os/oig/substanceabuseassistance)

<http://www.chfs.ky.gov/os/oig/substanceabuseassistance>

[Federation of State Medical Boards](http://www.fsmb.org/index.html)

<http://www.fsmb.org/index.html>

[Federation of State Medical Boards Model Policy on the Use of Opioid Analgesics for the Treatment of Chronic Pain](http://www.fsmb.org/pdf/pain_policy_july2013.pdf)

http://www.fsmb.org/pdf/pain_policy_july2013.pdf

[Federation of State Medical Boards Model Policy on DATA 2000 and Treatment of Opioid Addiction in the Medical Office](http://www.fsmb.org/pdf/2013_model_policy_treatment_opioid_addiction.pdf)

http://www.fsmb.org/pdf/2013_model_policy_treatment_opioid_addiction.pdf