

FIRST REGULAR SESSION

# SENATE BILL NO. 275

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Read 1st time January 17, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1192S.03I

## AN ACT

To repeal section 332.361, RSMo, and to enact in lieu thereof one new section relating to prescribing authority of dentists.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 332.361, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 332.361, to read as follows:

332.361. 1. **For purposes of this section, the following terms shall  
2 mean:**

3 **(1) "Acute pain", shall have the same meaning as in section  
4 195.010;**

5 **(2) "Long-acting or extended-release opioids", formulated in such  
6 a manner as to make the contained medicament available over an  
7 extended period of time following ingestion.**

8 **2.** Any duly registered and currently licensed dentist in Missouri may  
9 write, and any pharmacist in Missouri who is currently licensed under the  
10 provisions of chapter 338 and any amendments thereto, may fill any prescription  
11 of a duly registered and currently licensed dentist in Missouri for any drug  
12 necessary or proper in the practice of dentistry, provided that no such  
13 prescription is in violation of either the Missouri or federal narcotic drug act.

14 **[2.] 3.** Any duly registered and currently licensed dentist in Missouri may  
15 possess, have under his control, prescribe, administer, dispense, or distribute a  
16 "controlled substance" as that term is defined in section 195.010 only to the  
17 extent that:

18 (1) The dentist possesses the requisite valid federal and state registration  
19 to distribute or dispense that class of controlled substance;

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 (2) The dentist prescribes, administers, dispenses, or distributes the  
21 controlled substance in the course of his professional practice of dentistry, and for  
22 no other reason;

23 (3) A bona fide dentist-patient relationship exists; and

24 (4) The dentist possesses, has under his control, prescribes, administers,  
25 dispenses, or distributes the controlled substance in accord with all pertinent  
26 requirements of the federal and Missouri narcotic drug and controlled substances  
27 acts, including the keeping of records and inventories when required therein.

28 **4. Long-acting or extended-release opioids shall not be used for**  
29 **the treatment of acute pain. If in the professional judgement of the**  
30 **dentist, a long-acting or extended-release opioid is necessary to treat**  
31 **the patient, the dentist shall document and explain in the patient's**  
32 **dental record the reason for the necessity for the long-acting or**  
33 **extended-release opioid.**

34 **5. Dentists shall avoid prescribing doses greater than fifty**  
35 **morphine milligram equivalent (MME) per day for treatment of acute**  
36 **pain. If in the professional judgement of the dentist, doses greater than**  
37 **fifty MME are necessary to treat the patient, the dentist shall document**  
38 **and explain in the patient's dental record the reason for the necessity**  
39 **for the dose greater than fifty MME. The relative potency of opioids is**  
40 **represented by a value assigned to individual opioids known as a**  
41 **morphine milligram equivalent (MME). The MME value represents how**  
42 **many milligrams of a particular opioid is equivalent to one milligram**  
43 **of morphine. The Missouri dental board shall maintain a MME**  
44 **conversion chart and instructions for calculating MME on its website**  
45 **to assist licensees with calculating MME.**

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