

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances**

PROPOSED RULE

19 CSR 30-1.080 Electronic Prescribing Waiver

PURPOSE: This rule establishes the process for practitioners to obtain waivers to the electronic prescribing requirements established by section 195.550, RSMo.

(1) Practitioners required to utilize electronic prescribing pursuant to section 195.550, RSMo may request a waiver of this requirement from the Department of Health and Senior Services.

(A) Applications shall only be submitted by practitioners with active Missouri Controlled Substance Registrations. Applications shall not be submitted by a registrant's designee or representative.

(B) Applicants requesting a waiver shall submit an application for a waiver by sending their application to BNDDRxWaiver@health.mo.gov. A sample application may be found on the Department's website, www.health.mo.gov/safety/bnidd.

(B) The application shall include:

1. Applicant's first and last name;
2. Applicant's licensure type;
3. Applicant's Missouri Controlled Substance Registration number;
4. Applicant's email address.
5. The Applicant shall indicate for which of the following reasons they are seeking a waiver:
 - (1) Economic hardship;
 - (2) Technological limitations; or
 - (3) Other exceptional circumstances
6. The Applicant shall provide any additional details they consider necessary to support their waiver request.
7. The Applicant shall certify that the information included in their application is true and accurate.
8. The Applicant shall sign and date the application. An electronic signature will satisfy this requirement.

(C) Waivers granted by the Department shall be valid for one (1) year after the date on which they are issued.

(D) Waivers shall be kept on file at the practitioner's primary, principle practice location and available for review by the Department.

*AUTHORITY: section 195.550, RSMo 2019. * Emergency rule filed December 15, 2020, effective December 30, 2020, expires June 28, 2020. Proposed: Filed December 15, 2020.*

**Original authority: 195.550, RSMo 2019.*

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions one hundred seventeen thousand, nine hundred and six dollars (\$117,906.00) annually.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support or in opposition to this proposed rule with Michael Boeger, Missouri Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102, or via email at BNDD@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*