



Oregon Prescription Drug Monitoring Program

Terms & Conditions of Account Use Agreement

Statutory Authority:

The Oregon Health Authority (OHA) was given authority under ORS 431.962 to establish and maintain a prescription monitoring program with an electronic system for monitoring and reporting prescription drugs classified in Schedules II-IV controlled substances that are dispensed by pharmacies licensed with the Oregon Board of Pharmacy.

Access to Information:

Account access to information in the Oregon Prescription Drug Monitoring Program (PDMP) system is granted to individuals only – not to clinics, hospitals, pharmacies or any other healthcare facility.

Access is available to a healthcare provider licensed by an Oregon health professional regulatory board or to an individual licensed in California, Idaho, or Washington for the purpose of evaluating the need for or providing medical treatment. The information is a resource to inform patient clinical interviews and assessments. A healthcare provider may also access a list of all controlled substances dispensed under the provider's DEA number for a given time frame.

Access to information from the PDMP system is available to a pharmacist for the purpose of providing pharmaceutical treatment for a patient for whom the pharmacist has received a valid prescription to dispense a Schedule II, III or IV controlled substance.

A healthcare provider or pharmacist may authorize a member of staff as a delegate to access information from the PDMP system to assist in evaluating the need for or providing medical treatment.

Access to information from the PDMP system is available to the State Medical Examiner or designees of the State Medical Examiner for the purpose of conducting a medicolegal investigation or autopsy.

The PDMP grants account access to the system to healthcare providers and pharmacists so that they may look up information on their own patients directly via password access. Healthcare providers and pharmacists are not required to obtain information about patients from the PDMP system. In addition pharmacists are prohibited from refusing to dispense controlled substances to patients because the PDMP system is offline or otherwise unavailable.

In accordance with ORS 192.553 to 192.581 and federal privacy regulations, any person authorized to prescribe or dispense a prescription drug and who is entitled to access a patient's prescription monitoring information may discuss or release the information to other healthcare providers involved with the patient's care, in order to provide safe and appropriate care coordination unless otherwise prohibited by law.

Patients have the right to obtain a free copy of their information from the PDMP. Patients can request a copy of their information that contains a list of who has accessed their record. Healthcare providers and pharmacists are prohibited by law to access information of individuals who are not patients under their care. The PDMP will conduct auditing activities to monitor for unusual or potentially unauthorized use of the system.

Out-of-State Provider Accounts

Access to out-of-state healthcare providers will be limited to individuals licensed in California, Idaho, and Washington with similar licensure requirements. The OHA's determination of similar licensure is based upon scope of practice and formulary.

Delegate Accounts

A delegate is a member of staff of a healthcare provider or pharmacist who is authorized by the provider or pharmacist to access the PDMP system on his or her behalf. To access the system delegates must be authorized by a healthcare provider or pharmacist with an active system account. Each time a delegate conducts a patient query, the delegate must indicate the authorizing healthcare provider or pharmacist for whom he or she is conducting the query.

A healthcare provider or pharmacist who authorizes a delegate is responsible for the use or misuse of the information by the delegate. Individuals with delegates must conduct monthly audits of delegate use to monitor for potential misuse of the system. When a provider or pharmacist learns of any potential unauthorized use of the system or system data by a delegate, the individual must revoke the delegation and notify the OHA.

When a delegate is no longer authorized by a healthcare provider or pharmacist to access the system on his or her behalf, the provider or pharmacist must revoke the delegation and notify the OHA. When delegate accounts are inactive for more than six months, the OHA will deactivate the account; to reactivate the account the delegate must contact the OHA.

Medical Examiner Accounts

The State Medical Examiner and her or his designees must apply for a PDMP account and indicate their license type as Medical Examiner. When conducting a patient query as a Medical Examiner, the State Medical Examiner or designee is certifying that the query is for the purpose of conducting a specific medicolegal investigation or autopsy where there is reason to believe that controlled substances contributed to the death.

When system access of a designee of the State Medical Examiner must be revoked or if the State Medical Examiner learns of any potential unauthorized use of the system or system data, the State Medical Examiner must notify the OHA.

Information Errors

The information accessed from the PDMP database may contain errors and omissions and should not be used as a sole resource in determining treatment options. The records in the database are based on information submitted by pharmacies. System users should discuss information from the system with their patients.

Username login and Password:

PDMP system username login and password are provided to those individuals approved for access by the PDMP. System users are prohibited from sharing access information (username and password) with any other individual or entity including medical assistants, staff, co-workers, healthcare providers and pharmacists. Should any violations of username login and password security be identified, the PDMP will revoke the user's access to the system. When the PDMP learns that a healthcare provider or pharmacist's license or DEA registration has been limited or revoked, access will be terminated.

Unlawful Disclosure:

Any person who intentionally makes an unauthorized disclosure of information contained in or obtained from the PDMP database will be subject to disciplinary action by their respective board and appropriate civil and criminal penalties. The data from the PDMP system is protected health information and any information accessed must be treated as confidential. Knowingly disclosing the data in violation of state or federal laws relating to the privacy of healthcare data is grounds for disciplinary action by the appropriate health-related licensing board and/or employer and may be subject to civil and criminal penalties. System users must implement appropriate administrative, physical, and technical safeguards to reasonably ensure the privacy and security of the controlled substance prescription information pertaining to their patients.

PDMP Contact Information

pdmp.health@state.or.us or 971-673-0741

Account Agreement:

1. I understand that my access to data from the Oregon Prescription Drug Monitoring Program system is granted only with the authority and rights allowed under ORS 431.966.
2. I understand that I am responsible for all use of my username login and password and that I am prohibited from sharing my access information with any other individual or entity including medical assistants, staff, co-workers, healthcare providers and pharmacists.
3. I understand that I, and my delegate(s) if applicable, may only request information from the system to evaluate the need for or provide medical or pharmaceutical treatment for a patient

in my care [ORS 431.966(2)(a)(A)]. Access to information of individuals who are not patients under my care is not permitted by law.

4. I understand that patients are allowed by law to obtain a free copy of their own information from the PDMP and that this information will include a list of any and all system users who have accessed a patient's record [ORS 431.966(2)(c)]. I further understand that patients may question my authority to access their information.
5. I understand that the PDMP will conduct auditing activities to monitor for unusual or potentially unauthorized use of the system [OAR 410-121-4020(4)].
6. I understand that a pharmacist may not refuse to fill a valid controlled substance prescription because the PDMP system is offline or patient information is otherwise unavailable [ORS 431.968].
7. I agree to treat any information accessed as confidential and will reasonably ensure the privacy and security of the controlled substance prescription information pertaining to patients to protect against any improper disclosure.
8. I understand that I am required to report to the PDMP any suspected breach of the system or unauthorized access within 24 hours [OAR 410-121-4020(5)].
9. I understand that inappropriate access or disclosure of information received from the PDMP system is a violation of ORS 431.966 and may result in criminal, civil, or administrative sanctions, including disciplinary action by the appropriate licensing board and/or my employer as well as revocation of database access privileges.
10. I understand that if I violate PDMP statute section ORS 431.964, 431.966 or 431.968, a person injured by the violation may bring a civil action against me and may recover damages in the amount of \$1,000 or actual damages, whichever is greater. I understand that I am immune from civil liability for these violations unless I act with malice, criminal intent, gross negligence, recklessness or willful intent [ORS 431.966(6)].
11. I understand that in addition to any other penalty provided by law, the Attorney General may impose a civil penalty not to exceed \$10,000 for each violation of ORS 431.964, 431.966 or 431.968. I also understand that each improper release of information from the prescription monitoring program in violation of ORS 431.966 is considered a separate violation [ORS 431.992].
12. I understand the PDMP system is not intended to provide any advice regarding diagnosis and treatment. I further understand that a healthcare provider or pharmacist is not required to obtain information about patients from the PDMP system and may not be held liable for damages in any civil action on the basis that the provider or pharmacist did not request or obtain information from the PDMP system [ORS 431.966(7)].
13. I understand that the information I access from the PDMP database may contain errors and omissions and is simply a resource to inform patient clinical interviews and assessments. Additionally I understand that information in system reports should be verified with patients before any clinical decisions are made or actions are taken.
14. I understand I may be asked to provide additional information related to my account in order to gain or retain access to the PDMP system and will notify the PDMP of any changes to my contact information.

15. I understand I must notify the PDMP when: my license or DEA registration has been limited, revoked, or voluntarily retired; I change employment or my employment has been terminated; or I no longer need access to the PDMP system [OAR 410-121-4020(13)].
16. I understand I may be asked for personal information to verify my identity when contacting the PDMP or the Help Desk.
17. I understand that by signing and submitting an Access Request Form to PDMP I am agreeing to follow the Terms and Conditions of this Account Use Agreement. Furthermore, I understand that if I violate the terms and conditions of this agreement, I am subject to sanctions and my access to the system will be revoked.

For a healthcare provider or pharmacist who authorizes delegate access:

18. I understand that I must have an active account in order to delegate access to a member of my staff [OAR 410-121-4020(3)]. I further understand that I am responsible for the use or misuse of the information accessed by my delegates [ORS 431.966(2)(a)(A)].
19. I understand that I must conduct monthly audits of delegate use to monitor for potential misuse of the system and that when I learn of any potential unauthorized use of the system or system data by a delegate, I must revoke the delegation and notify the OHA [OAR 410-121-4020(21-22)].
20. I understand that when a delegate for any reason is no longer authorized to access the system on my behalf, I must revoke the delegation and notify the OHA [OAR 410-121-4020(15)].

For a delegate:

21. I understand that each time I conduct a patient query I must indicate the authorizing healthcare provider or pharmacist on whose behalf I am conducting the query [OAR 410-121-4020(20)].
22. I understand that if my account is inactive for more than six months, the OHA will deactivate my account [OAR 410-121-4020(16)].

For a Medical Examiner:

23. I understand that I must indicate my license type as Medical Examiner when I apply for a PDMP account to access the system as the State Medical Examiner or designee [OAR 410-121-4020(9)].
24. I understand that each time I conduct a patient query as a Medical Examiner I am certifying that the query is for the purpose of conducting a specific medicolegal investigation or autopsy where there is reason to believe controlled substances contributed to the death [OAR 410-121-4020(19)].

For the State Medical Examiner:

25. I understand that when for any reason access of a designee must be revoked, I must notify the OHA [OAR 410-121-4020(17)].
26. I understand that when I learn of any potential unauthorized use of the system or system data by a designee, I must notify the OHA [OAR 410-121-4020(23)].