
Emergency Rules

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2110—Missouri Dental Board
Chapter 2—General Rules**

EMERGENCY RULE

20 CSR 2110-2.250 Prescribing Opioids

PURPOSE: This rule provides for regulation of prescriptions for opioid pain medication.

EMERGENCY STATEMENT: This emergency rule is being promulgated to protect the lives of Missouri citizens by establishing safe prescription requirements for opioid pain medication. This proposed rule incorporates guidelines from the Centers for Disease Control (CDC) and the American Dental Association (ADA) to regulate the way that dentists prescribe opioid controlled substances to their patients. Pursuant to section 536.025, RSMo, this rule proposal is being filed as an emergency rule due to the current public health crisis facing Missouri and the rest of the United States.

A March 26, 2018 statement from the American Dental Association reported that in 2016, opioids (including prescription opioids, heroin and fentanyl) killed more than forty-two thousand (42,000) people in the United States, more than any year on record. Forty percent (40%) of those deaths involved a prescription pain reliever, according to the Centers for Disease Control and Prevention.

In statements in Executive Orders 17-18 and 17-19, the Missouri Governor's office reported that in 2016, more than nine hundred (900) Missourians died from an opioid overdose and estimated that two (2) Missourians die from narcotic overdose and two (2) babies are born with narcotic withdrawal every day somewhere in Missouri.

*Dentists write a significant number of the opioid prescriptions issued in the United States every year. This proposed rule will not limit a dentist's ability to treat patients' pain. It will require them to document the steps taken in that treatment and will require them to provide treatment within the standards recommended by the Centers for Disease Control as well as the American Dental Association. As a result, the Missouri Dental Board finds there is an immediate danger to the public health, safety, and/or welfare and a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. The Missouri Dental Board believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed November 7, 2018, becomes effective November 17, 2018, and expires May 15, 2019.*

(1) Dentists shall consider non-opioid medications and therapies for treatment of mild to moderate acute dental pain prior to prescribing an opioid controlled substance. Options for non-opioid treatments shall be discussed with the patient and the patient advised of the risks associated with opioid related treatments and the discussion documented in the patient's dental record.

(2) Before prescribing an opioid controlled substance to a patient experiencing dental pain, a dentist shall assess the patient for potential opioid use disorder. At a minimum, this should include collecting and maintaining a thorough medical history of the patient including any history of substance abuse disorders, mental health conditions, or sleep-disordered breathing. Dentists shall thoroughly discuss and document in the patient's record any medications the patient may be receiving from any other healthcare providers.

(3) A dentist shall not issue an initial prescription for more than a

seven- (7-) day supply of any opioid controlled substance for treatment of a patient's acute pain. A dentist may not issue any renewal, refill, or new prescription for an opioid controlled substance for treatment of the same acute pain without first performing an examination of the patient to determine the need and appropriateness of the renewal, refill, or new prescription. Any appropriate renewals, refills, or new prescriptions of opioids for treatment of the same acute pain shall also be limited to a seven- (7-) day supply and shall be in compliance with the general provisions of Chapters 195 and 579. If, in the professional judgment of the dentist, more than a seven- (7-) day supply is required to treat the patient's acute pain, the dentist may issue a prescription for the quantity needed to treat the patient, provided that the dentist shall document in the patient's dental record the reason for the necessity for more than a seven- (7-) day supply and that a non-opioid alternative was not appropriate to address the patient's condition.

*AUTHORITY: section 332.031, RSMo 2016. Emergency rule filed Nov. 7, 2018, effective Nov. 17, 2018, expires May 15, 2019. An emergency rule and a proposed rule covering this same material is published in the December 17, 2018, issue of the **Missouri Register**.*