



How Law Enforcement Can Obtain MPDR Information

As specified in §37-7-1506 (1) (e) MCA, the MPDR may release prescription data to, “a county coroner or a peace officer employed by a federal, state, tribal or local law enforcement agency if the county coroner or peace officer has obtained an investigative subpoena”.

What Information Can I Obtain?

MPDR maintains 3 years of data. Data older than 3 years is permanently removed from MPDR each month, and is no longer available for reporting. The following reports can be requested by subpoena:

- Patient history: Prescriptions purchased by the identified patient
- Prescribing history: Prescriptions written by the identified prescriber
- History of MPDR use: When did the identified individual use MPDR online services, and whose patient histories did they review?

Investigative Subpoena Requirements for MPDR Information:

The subpoena must be signed by a judge, and his or her findings must include specific wording that demonstrates the following:

- The administration of justice requires that an investigative subpoena be issued to the MPDR (§46-4-301 MCA).
- There is a compelling state interest which overrides the individual’s right to privacy (§50-16-811 MCA).

The subpoena must also include the following information:

- For all report types: the name, postal address, telephone number and email address of the law enforcement representative who will receive the MPDR’s report.
- For patient history: the name, birthdate and all known aliases of the individual under investigation.
- For prescribing history: the prescriber’s name and DEA number(s).
- For history of MPDR usage: the Registered User’s name and Montana license number.

The MPDR cannot respond to subpoenas that fail to meet all of the above criteria.

Serving A Subpoena to the MPDR:

- It is not necessary to serve a subpoena in person. **Please email the subpoena to MPDR at dlibsdpdr@mt.gov.**
- Please do not serve a subpoena to MPDR by postal mail or fax as receipt of such requests are not immediately available to MPDR staff.

Receiving MPDR Reports:

MPDR staff typically responds to subpoenas which meet all of the above requirements within three business days of receipt. The recipient identified in the subpoena will be notified via email when the report is ready, and all digital files can be retrieved online through the State’s secure File Transfer Service. You will receive:

- A cover letter and one or more Excel files containing all of the information in the MPDR that meets the search criteria provided in the subpoena.
- A link to a document that explains how to read MPDR reports and gives definitions of any codes and abbreviations that may be included in the Excel file(s).

Contact MPDR at dlibsdpdr@mt.gov or 406-841-2240 if you have questions.