

Oklahoma's PSE Law

Making Solid Forms of
Pseudoephedrine a C-V CDS to
Curb Illegal Meth Lab Activity

HB-2176: Background

- ◆ Problem with clanlabs in late 1980's
- ◆ Emerging trend in 1994
- ◆ Exponential growth in clanlab activity
 - 12,000% increase by 2001
 - Consistently in top 5 states for clanlab activity (average 1100-1250 labs per year)
 - Rampant disregard in PSE sales

HB 2176: Background

- ◆ Estimated number of clanlabs per year caught by law enforcement in Oklahoma – 1200
- ◆ Conservative estimate of actual clanlab events in Oklahoma (@ 1 out of 50 being caught) – 60,000

HB 2176: Background

◆ Cost of meth labs in Oklahoma

- Incarceration (meth-related) \$700,000,000
- Mental Health and Substance Abuse Treatment \$230,000,000
- Domestic Violence Services (meth related) \$123,000,000
- Law Enforcement \$20,000,000
- Clanlab Cleanup \$1,000,000

Total annual cost -- \$1,074,000,000

HB 2176: Background

- ◆ 3 out of last 4 Oklahoma Highway Patrol Troopers who were killed in the line of duty died as a result of meth cooks.
- ◆ Town meetings revealed overwhelming concerns statewide

HB 2176: Background

- ◆ Registration of PSE Distributors in 2003
- ◆ Interim Study in Summer of 2003
 - Findings:
 - ◆ PSE sales are out of control in Oklahoma
 - ◆ Consumer “needs” are not paramount
 - ◆ Effective controls can only be achieved by Scheduling PSE
 - ◆ Control of other (non-precursor) chemicals helps but has not diminished clanlab activity

HB 2176: Background

◆ Coalition formed:

- Ubiquitous perspective from law enforcement, mental health, treatment, DA's, and community groups
- Pharmacist association, retail grocers association, wholesale grocers association, chain drug store association did not oppose the bill –many overtly supported it

HB 2176: Features

- ◆ Makes solid forms of PSE a C-V CDS
 - Must be sold only in pharmacy as C-V drug, including a log of sales
 - Restricts to 9 grams of PSE in any 30-day period
 - Liquid products and Liquid-filled gelatin capsules are exempt
 - PSE prescribed or dispensed by a physician (or other registered prescriber) are exempt from C-V status

HB 2176: Features

◆ Problems:

- “Gelcap” language
- Exemptions

◆ Other features of the law:

- Keeping drug abusers in jail without bond if they constitute a threat to society as a result of their compulsive need for the drug

HB 2176: Outcomes

- ◆ Overall 50% decrease in clanlab activity throughout the state
- ◆ Increase in border counties
- ◆ No consumer complaints
- ◆ No pharmacy complaints
- ◆ 1 grocery store complaint

HB 2176: Problems

- ◆ Slow turnaround in getting the real-time electronic logbook (COPS grant reprogramming request is still in process)
- ◆ Other states still sell PSE over the counter

Questions?

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