INCB: Availability of opioids* for pain management (2010-2012 average) (Consumption in defined daily doses for statistical purposes (S-DDD) per million inhabitants per day)

*Codeine, dextropropoxyphene, dihydrocodeine, fentanyl, hydromorphone, ketobemidone, morphine, oxycodone, pethidine, tilidine and tramperidine.

Date Prepared/ Source: 4/14/14,
Prescription drug abuse is the fastest growing drug problem in the United States.

In 2010, approximately 38,329 unintentional drug overdose deaths occurred in the United States, one death every 14 minutes.

75.2% were attributed to opioid overdoses.

In 2011, the number grew to 41,340 deaths, one death every 12 ½ minutes.

74.2% were attributed to opioid overdoses.

Drug overdose deaths have increased for 12 consecutive years.
Drug-Induced Deaths vs. Other Injury Deaths (1999–2009)

Causes of death attributable to drugs include accidental or intentional poisonings by drugs and deaths from medical conditions resulting from chronic drug use. Drug-induced causes exclude accidents, homicides, and other causes indirectly related to drug use. Not all injury cause categories are mutually exclusive.

Source: National Center for Health Statistics, Centers for Disease Control and Prevention.

U.S. Drug Enforcement Administration Office of Diversion Control
## Drug Poisoning Deaths Involving Opioid Analgesics, Cocaine, and Heroin: United States, 1999-2011

<table>
<thead>
<tr>
<th>Year</th>
<th>Opioid Analgesic</th>
<th>Cocaine</th>
<th>Heroin</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>4,030</td>
<td>3,822</td>
<td>1,963</td>
</tr>
<tr>
<td>2000</td>
<td>4,400</td>
<td>3,544</td>
<td>1,843</td>
</tr>
<tr>
<td>2001</td>
<td>5,528</td>
<td>3,833</td>
<td>1,784</td>
</tr>
<tr>
<td>2002</td>
<td>7,456</td>
<td>4,599</td>
<td>2,092</td>
</tr>
<tr>
<td>2003</td>
<td>8,517</td>
<td>5,199</td>
<td>2,084</td>
</tr>
<tr>
<td>2004</td>
<td>9,857</td>
<td>5,443</td>
<td>1,879</td>
</tr>
<tr>
<td>2005</td>
<td>10,928</td>
<td>6,208</td>
<td>2,010</td>
</tr>
<tr>
<td>2006</td>
<td>13,723</td>
<td>7,448</td>
<td>2,089</td>
</tr>
<tr>
<td>2007</td>
<td>14,408</td>
<td>6,512</td>
<td>2,402</td>
</tr>
<tr>
<td>2008</td>
<td>14,800</td>
<td>5,129</td>
<td>3,041</td>
</tr>
<tr>
<td>2009</td>
<td>15,597</td>
<td>4,350</td>
<td>3,278</td>
</tr>
<tr>
<td>2010</td>
<td>16,651</td>
<td>4,183</td>
<td>3,036</td>
</tr>
<tr>
<td>2011</td>
<td>16,917</td>
<td>4,681</td>
<td>4,397</td>
</tr>
</tbody>
</table>

**Note:** Not all drug poisoning deaths specify the drug(s) involved, and a death may involve more than one specific substance. The rise in 2005-2006 in opioid deaths is related to non-pharmaceutical fentanyl (see [http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5729a.htm](http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5729a.htm)). *Heroin includes opium.

U.S. Rates of Opioid Overdose Deaths, Sales, and Treatment Admissions, 1999-2010

Source: National Vital Statistics System (NVSS), DEA's Automation of Reports and Consolidated Orders System, SAMHSA's Treatment Episode Data Set

U.S. Drug Enforcement Administration
Office of Diversion Control
In 2010 alone, 254 million prescriptions for these drugs were filled in the United States, enough for every adult in America to stay medicated around the clock for a month. These drugs include codeine, oxycodone (e.g., OxyContin, Percodan, Percocet), morphine, hydromorphone (e.g. Demerol and Dilaudid), propoxyphene (e.g. Darvon and Darvocet) and methadone (e.g. Dolophine and methadose).

The quantity of prescription painkillers sold to pharmacies, hospitals, and doctors’ offices was four times larger in 2010 than in 1999.
In 2012, Southern states had the most prescriptions per person.
The top three states were Alabama, Tennessee, and West Virginia:

Alabama: 143 per 100 people
Tennessee: 143 per 100 people
West Virginia: 138 per 100 people

Lowest - Hawaii: 52 per 100 people

SOURCE: CDC Vital Signs: Opioid Painkiller Prescribing; July 2014
TENNESSEE’S TOP 10 CONTROLLED SUBSTANCES: 2013

Hydrocodone products, 34.6%

Alprazolam, 14.5%

Oxycodone products, 13.1%

Tramadol, 6.7%

Clonazepam, 6.1%

Lorazepam, 5.0%

Diazepam, 4.1%

Morphine products, 3.5%

Buprenorphine products, 3.2%
Deaths:
Over 1,000 people are dying in the state every year.

Children:
50% of the children in DCS care are there because of parental drug abuse.
Over the past decade, there has been a ten-fold rise in the incidence of babies born with Neonatal Abstinence Syndrome.

Healthcare Costs:
ER visits for overdoses have increased 40% from 2005-2010.
Estimated cost of providing drug treatment to Tennessee drug abusers living below the poverty line is $28 million.

Crime:
Drug-related crimes have increased 33% from 2005-2012.

Lost Productivity:
Estimated cost of lost productivity due to prescription drug abuse was $143 million in 2008. Adjusted for inflation it would be close to $160 million now.
Controlled Substances Act of 1970
Closed System
DEA license – manufacture, distribute, dispense
Enforcement
DEA - administrative
- diversion
- criminal enforcement
Lawful or Unlawful? - Title 21 C.F.R. § 1306.04

A prescription for a controlled substance to be effective must be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice. The responsibility for the proper prescribing and dispensing of controlled substances is upon the prescribing practitioner, but a corresponding responsibility rests with the pharmacist who fills the prescription.
21 U.S.C. § 841 – Except as authorized . . . , it shall be unlawful for any person to distribute or dispense a controlled substance.

- doctors, providers, pharmacists, others

Punishment

- Schedule II – 0-20 years; $1-5 million
- Schedule III – 0-10 years; $500,000 – 2.5 million
- Schedule IV – 0-5 years; $250,000 - $1 million
UNLAWFUL DISPENSING

Inappropriate/Over Prescribing
Knowledge of Redistribution
Lax/careless Rx Practices
Dr. Shoppers
Prescription Rings
CONSPIRACY

Advantages – time frame, jurisdiction, relevant evidence, coconspirator liability
No one can avoid responsibility for a crime by deliberately ignoring the obvious. If you are convinced that the defendant deliberately ignored a high probability that drugs were being illegally distributed, then you may find that he had knowledge of the crime.

But to find this, you must be convinced beyond a reasonable doubt that the defendant was aware of a high probability that drugs were being illegal distributed, and that the defendant deliberately closed his eyes to what was obvious. Carelessness, or negligence, or foolishness on his part is not the same as knowledge, and is not enough to convict.
Oxycodone - (ex. 30 mg)

10 pills = 6-12 months
100 pills = 21-33 months
1,000 pills = 63-78 months
10,000 pills = 121-151 months
100,000 pills = 188-235 months

(more for death, serious injury, aggravating role, livelihood, maintaining premises, minor or elder)
Superior One
December 2010 – July 2011 (4 locations)
$2 million cash
24 - 40 kilos oxycodone

Primary Care
August 2011 – June 2012 (2 locations)
$2 million
28.5 - 45 kilos oxycodone
Superior One Medical

Rules!

1. Do not stand around in groups on sidewalk or in parking lot!
2. Do not run to or from your car, if you do no refund!
3. Once you enter and check in, you can NOT go out in Front Door, unless you’re leaving! All smokers go to back.
4. Throwing down any trash will be seen on cameras and you will pay.
5. If you are a first time client, welcome listen and we will get to you.
6. No PL or LA I.D.'s, medical records are fine from there, but not your I.D.'s.
7. Wait in your car until we open the door at (9am)
Payment: Cash/Money Orders – No insurance
Unprofessional appearance: Owners, location, signs, advertising, promotional schemes; armed guards, open drug use
Customers: Young, no apparent injuries, addicts, traveled in groups, staff, manner of treatment
Volume: Clinic packed, long waits
Procedures: Scant medical records, exams, drug tests ignored; PMP not checked, sham therapies
Providers: Amounts and prescribing patterns; state “top ten” prescribers
Complaints: Neighbors, pharmacies
Barbara Lang: Jury convicted of 21 offenses
   – 3,360 months
Faith Blake: Pled Guilty to 3 offenses
   – 600 months
Charles Larmore: Pled Guilty to 2 offenses
   – 324-405 months
Dr. Jerome Sherard: Pled Guilty to 2 offenses
   – 210-262 months
RED FLAGS

Cash only
Traveling customers
Unexplained increase in sales
Large percentage of total sales
High dose amounts
Demand for fast-acting drugs
Drug combinations
New business/changing locations
Ignoring regulatory/law enforcement concerns
Locations – no legitimate reason for sales volume
Pharmacies located in or associated with pain clinics/doctor’s offices
DRUG TRENDS

Prescription Pills to Heroin
Opana (Oxymorphone) – “Panda” “Panda Bears” “Going to the Zoo” - very popular. Linked to largest HIV outbreak in Indiana (100 cases)
Codeine – “Purple Drank,” “Lean,” “Sippin,” and “Dank.” - mixed with juice or Hi-C. Popular with kids

Erowid.Org – source for information about recreational drugs and drug use
Gregg Sullivan, AUSA
Eastern District of Tennessee
423-385-1313