

Milwaukee DEA Diversion Conference

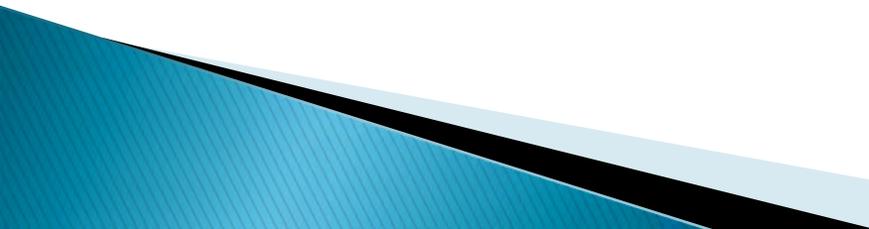
July 25–26, 2015
WI PEB/NABP Perspective
Franklin (Rocky) LaDien R.Ph.

Agenda

- ▶ WI Pharmacy Examining Board/DSPS
 - ▶ Diversion Regs from Chapters 6,8,13,18, 961 and 450
 - ▶ H.O.P.E. Legislation of 2014 (Heroin,Opiate prevention and Education)
 - ▶ DEA 106 Reporting
 - ▶ NABP Site
 - ▶ Red Flags Video Practices (NABP site)
 - ▶ Local Police Involvement
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Dept. of Safety and Professional Services (DSPS) Information

- Executive Director – Dan Williams
 - Board Legal Counsel – Gretchen Mroczinski
 - Prescription Drug Monitoring Program (PDMP) Coordinator – Chad Zadrazil
 - <http://dsps.wi.gov> or <http://drl.wi.gov>
 - Meeting dates, agendas and minutes
 - Links to the Code Book
 - FAQ's and Position Papers
 - Regulatory Digest
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PEB Members

- ▶ Chair–Thad Schumacher RPH–2016
 - ▶ Vice Chair– Rocky LaDien R.Ph.–2016
 - ▶ Sec.– Phil Trapskin PharmD–2017
 - ▶ Cathy Winters– PharmD–2017
 - ▶ Terry Maves –R.Ph.–2018
 - ▶ Charlotte Rasmussen (Public)–2015
 - ▶ Kristi Sullivan (Public)–2016
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Umbrella Agency

- ▶ Complaint driven board
 - ▶ Screening panel reviews complaints monthly
 - ▶ Dept staff sends inquiry letters and/or phone calls
 - ▶ PEB deliberates on findings from screening panel
 - ▶ Inspections are done per screening panel requests
 - ▶ Self Inspection Report *
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C II Storage Requirements–Chapter 6.07(3)

- ▶ Controlled substances shall be stored in a securely locked, substantially–constructed cabinet or dispersed throughout the inventory of non–controlled substances in a manner that obstructs theft.



Chapter 8–Records:DEA 106 Requirement

- 8.02(f) In any instance that a pharmacy, practitioner or other DEA registrant authorized to possess controlled substances is required to file with the DEA a report of theft or loss of controlled substances, the pharmacy, practitioner or other DEA registrant shall also send a copy to the board within 2 weeks of filing with the DEA.

 **REPORT OF THEFT OR LOSS OF CONTROLLED SUBSTANCES**

Controlled Substances Registrants to submit a detailed report of any theft or loss of Controlled Substances to the Drug Enforcement Administration.

Complete the front and back of this form. Forward the original and duplicate copies to the nearest DEA Office.

OMB APPROVAL No. 1517-0001

1. Name and Address of Registrant (include ZIP Code)

2. Phone No. (Include Area Code)

3. DEA Registration Number

4. Date of Theft or Loss

5. Principal Business of Registrant (Check one)

6. County in which Registrant is located

7. Was Theft reported to Police?

8. Name and Telephone Number of Police Department (include Area Code)

9. Number of Steals or Losses Reported Has Occurred in the past 24 months

10. Type of Theft or Loss (Check one and complete items below as appropriate)

11. If Armed ROBBERY, was anyone:

12. Estimate value of Controlled Substances taken?

13. Were any (pharmaceutical or radioactive) pills?

14. Was the carrier received by the customer?

15. If received, did it appear to be tampered with?

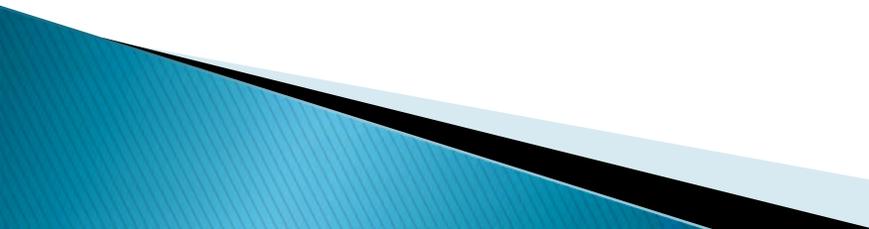
16. Have you experienced losses in transit from this carrier in the past?

17. What identifying marks, symbols, or price codes were on the labels of these containers that would assist in identifying the products?

18. If Official Controlled Substance Order Forms (DEA-222) were stolen, give numbers.

19. What security measures have been taken to prevent future thefts or losses?

Phar 8.10 Disclosure of suspicious orders of controlled substances.

- ▶ Manufacturers and distributors of controlled substances shall disclose suspicious orders of controlled substances.
 - ▶ Suspicious orders include, without limitation because of enumeration, orders of unusual size, orders deviating substantially from a normal pattern, and orders of unusual frequency.
 - ▶ The licensee shall notify the regional office of the DEA and the board of all suspicious orders.
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Phar 13.10– All facilities shall require that:



- ▶ (1) Access from outside the premises is kept to a minimum and be well controlled;
- ▶ (2) The outside perimeter of the premises is well lighted;
- ▶ (3) Entry into areas where prescription drugs are held is limited to authorized personnel;
- ▶ (4) An alarm system is maintained to detect entry after hours;
- ▶ (5) A security system is maintained that will provide suitable protection against theft and diversion, including, when appropriate, a system that provides protection against theft or diversion that is facilitated or hidden by tampering with computers or electronic devices

Chapter 18–PRESCRIPTION DRUG MONITORING PROGRAM

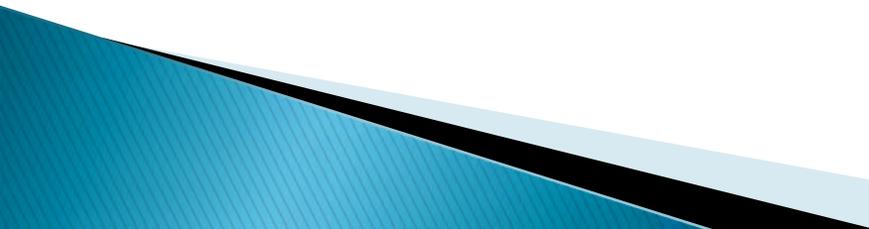
- ▶ Phar 18.01 Authority and scope.
- ▶ Phar 18.02 Definitions.
- ▶ Phar 18.03 Drugs that have a substantial potential for abuse.
- ▶ Phar 18.04 Compilation of dispensing data.
- ▶ Phar 18.05 Electronic submission of dispensing data.
- ▶ Phar 18.06 Frequency of submissions. *** 7 to 1 day requirement?
- ▶ Phar 18.07 Correction of dispensing data.
- ▶ Phar 18.08 Exemptions from compiling and submitting dispensing data.
- ▶ Phar 18.09 Direct access to PDMP information.
- ▶ Phar 18.10 Requests for review.
- ▶ Phar 18.11 Methods of obtaining PDMP information.
- ▶ Phar 18.12 Use of PDMP information by the board and department.
- ▶ Phar 18.13 Confidentiality of PDMP information.
- ▶ Phar 18.14 Exchange of PDMP information.
- ▶ Marshfield Clinic Pilot –2014–15

Chapter 450.11(1b) ID card required for certain controlled substances



- ▶ (b) Except as provided under par. (e), a controlled substance included in schedule II or III of ch. 961 may not be dispensed, and may not be delivered to a representative of the ultimate user, **without an identification card belonging to the person to whom the drug is being dispensed or delivered.**
- ▶ 450.11(1b)(bm) **A pharmacist or other person dispensing or delivering a drug shall legibly record the name on each identification card presented under par. (b) to the pharmacist or other person, and the name of each person to whom a drug is dispensed or delivered subject to par. (e) 2., and shall maintain that record for a time established by the board by rule or, for a record that is subject to s. 450.19, until the name is delivered to the board under s. 450.19, whichever is sooner. ***Sunset law –2016**

Chapter 450.11

- ▶ Pharmacist Immunity for Sales Made in Good Faith
 - ▶ A pharmacist is immune from any civil or criminal liability and from professional discipline for any act he or she takes in reliance on an identification card that he or she reasonably believed was authentic and displayed the name of the person to whom the drug was being delivered, if the sale was made in good faith
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Chapter 961.36–CSB Duties

- ▶ 961.36(2) The controlled substances board shall enter into written agreements with local, state, and federal agencies to improve the identification of sources of diversion and to improve enforcement of and compliance with this chapter and other laws and regulations pertaining to unlawful conduct involving controlled substances. An agreement must specify the roles and responsibilities of each agency that has information or authority to identify, prevent or control drug diversion and drug abuse. **The board shall convene periodic meetings to coordinate a state diversion prevention and control program.** The board shall assist and promote cooperation and exchange of information among agencies and with other states and the federal government.
- ▶ Lately– synthetic marijuana, bath salts, cannabinoid legislation
- ▶ PDMP soon



<http://www.nabp.net/>



NABP–National Association of Boards of Pharmacy :AWARxE

- ▶ The AWARXE campaign aims to prevent more tragic stories like Nick’s by providing information that will raise awareness of prescription drug abuse and misuse.
- ▶ Nick G. “Opiate narcotics have taken everything from me, and I lost absolutely everything. These pills led me to jail, rehab, and funerals, and away from the people who meant the most to me.”



NABP–National Association of Boards of Pharmacy

- ▶ The AWARE program has a drug disposal locator tool to find a drug disposal site near you. Properly disposing of medications keeps medicine out of the hands of someone who might abuse them and also protects the environment.
- ▶ If you know you have a drug disposal site near you but don't see it listed here, please let us know! We are always adding to our site listings!



NABP–National Association of Boards of Pharmacy

- ▶ Watching for the “Red Flags” of Diversion
- ▶ Red Flags Video (12 minutes)
- ▶ <https://www.youtube.com/watch?v=WY9BDgcdxaM&feature=youtu.be>

NABP : Rx Patrol

- ▶ RxPATROL® is a collaborative effort between industry and law enforcement designed to collect, collate, analyze and disseminate pharmacy theft information. RxPATROL helps protect the pharmacy environment and ensure legitimate patients' access to life-sustaining medicines.

ENTER AN
INCIDENT NOW!

Click here to report
a pharmacy crime.



Other ideas....

- ▶ Illinois proposed locking device/security code
 - ▶ Drug Disposals
 - ▶ GPS trackers
 - ▶ Timed delay safes
 - ▶ Improved camera views
 - ▶ Being proactive in store
 - ▶ Police relationship

 - ▶ Rocky.ladien@walgreens.com
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