



2017

DEA Pharmacy Diversion Awareness Conference Theft and Loss and Addressing "Red Flags"

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Learning Objectives

1. Understand the rates of reporting of theft and loss of controlled substances to the Board of Pharmacy.
2. Become aware of the average number of cases the Board reviews as a result of receiving theft and loss reports.
3. Understand what constitutes a “significant” loss.
4. Be able to identify and respond to common “red flags” during the dispensing process.

Show of Hands...

On average, how many reports of theft and loss does the Board of Pharmacy receive annually?

1. 500
2. 250
3. 100
4. 75

Show of Hands...

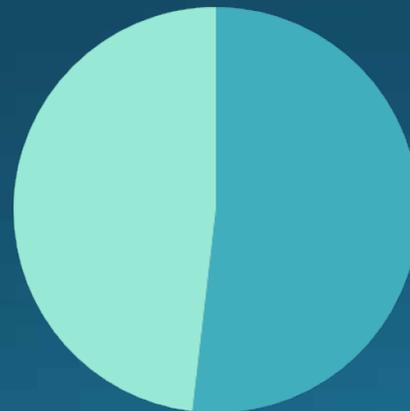
On average, how many reports of theft and loss does the Board of Pharmacy receive annually?

1. 500
2. 250
3. 100
4. 75

2015 Statistics

- The Board initiated and investigated seven complaints pursuant to receipts of theft and loss reports.
 - Six cases resulted in public discipline
 - Total diverted doses: 2077

Doses Diverted



- Opioids
- Benzos
- Other

2016 Statistics

- The Board initiated and investigated nine complaints pursuant to receipts of theft and loss reports.
 - Four cases resulted in public discipline
 - Total diverted doses: 8,160-a 293% increase from 2015

Doses Diverted



2017 Statistics

- The Board has initiated and investigated 12 complaints YTD pursuant to theft and loss reports.
 - Nine cases are currently pending
 - Total diverted doses YTD in finalized cases: 2270

Doses Diverted



Theft/Loss: When is it “Significant?”

- 657-10.16

- A registrant shall report to the Board and the DEA any theft or “significant” loss of controlled substances when the loss is attributed to any other than inadvertent error.
 - Scenario 1: The pharmacist realizes that a 500 count bottle of hydrocodone/apap 10/325 is missing from the CII cabinet. An audit is performed and the missing bottle is confirmed.
 - Scenario 2: A technician is filling a prescription for methylphenidate and inadvertently drops a tablet behind the filling counter. The technician reports this to the pharmacist in charge who reviews the inventory.
 - Scenario 3: The pharmacist in charge is performing an annual inventory and is reconciling the CII. They notice multiple negative adjustments throughout the year to many of the oxycodone and hydrocodone products. The amount missing is less than 5% of total sales.

Theft/Loss: What to do?

- 657-10.16:
 - Requires the registrant to IMMEDIATELY report theft/loss associated with employee pilferage to the Board and DEA.
 - The Registrant has 14 days to submit to the Board and the DEA a Form 106 detailing losses.
 - Form 106 is available on the DEA's website and can be submitted electronically.
 - The Board accepts Form 106 as a suitable reporting form.
 - The Registrant must maintain a copy of the Form 106 for at least two years.
 - If you need assistance, contact your compliance officer.

Preventing Theft

657-10.15: Security Requirements

- "...registrants shall provide effective controls and procedures to guard against theft and diversion..."
- Physical factors
 - Commensurate with the schedules and quantity of controlled substances under the control of the registrant
 - E.g., safes, vaults, alarm systems, cameras (with retention), shatterproof glass, restricted access points, and lighting (interior/exterior)
- Procedural factors
 - Who has access?
 - How and when are inventories reconciled?
 - Supervision of employees and the general public.
 - Stringent employee screening process.

Diversion or Inappropriate Prescribing?

- “Red Flags”
 - Unknown patient
 - Unknown prescriber
 - Patient offers to pay cash
 - Prescription looks “too perfect”
 - Certain combinations
 - “Holy Trinity”
 - Prescriber’s phone number is a cell or goes straight to voice mail

How to Address “Red Flags”

- Understand, access, and utilize the state’s Prescription Monitoring Program (PMP).
- Develop policies and procedures for responding to specific “red flags.”
- REPORT inappropriate prescribing to the pharmacy Board and/or the prescriber’s professional licensing Board.
- Contact local law enforcement if fraud or other crimes are suspected.

Questions?



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