Prescription Drug Abuse
Florida’s Health Crisis
Overview

• Florida has been the epicenter for the diversion and abuse of prescription drugs.
• Prescription drugs killed almost 7 Floridians per day after an *upward* trend for the past 7 years.
• However, in 2011 Florida experienced its first decline in the number of prescription drug overdose deaths after the successful launch of its Prescription Drug Monitoring Program (PDMP).
Florida’s Roadmap

• Many states have been getting good results fighting pharmaceutical drug diversion by pairing multi-agency and multi-jurisdictional law enforcement operations with the routine use of a Prescription Drug Monitoring Program.
OAG Prescription Drug Diversion and Abuse Roadmap

Florida’s Prescription Drug Diversion and Abuse Roadmap 2012-2015

• Roadmap focuses statewide efforts
  – Law Enforcement
  – Prevention
  – Treatment through Florida’s Drug Courts

• Establish 4 Key Performance Metrics
  – Fewer Newborns Withdrawing from Rx Drugs
  – Survey Data from LE – Assessing Top Drug Threat
  – Reduction in Overdose ED Visits
  – Reduction in Overdose Deaths
Attorney General Bondi’s Statewide Prescription Drug Diversion and Abuse Roadmap

The *Roadmap* includes:

1. Law enforcement and Department of Health regulators working in concert through the Regional Drug Enforcement Strike Forces (2011-present);
2. Comprehensive anti-pill mill legislation (HB 7095, passed in 2011);
3. Prescription Drug Monitoring Program online from 2011;
4. New anti-prescription drug diversion prevention messaging starting to take hold.
Florida’s Recent Successes

• Thanks to outstanding cooperation between Florida’s law enforcement and public health care communities, our state is now bringing to bear a comprehensive strategy for fighting prescription drug trafficking and abuse.

• In 2010, 98 of the top 100 dispensing physicians of oxycodone pills nationally resided in Florida but today none of the top 100 now reside in Florida.
Drug Strike Forces
&
M.E. Stats
Regional Strike Force Co-Chairs

Pensacola
Sheriff Frank McKeithen, Bay
Chief John Van Etten, Panama City

Tallahassee
Sheriff Mark Hunter, Columbia
Chief Dennis Jones, Tallahassee

Tampa Bay
Sheriff David Gee, Hillsborough
Chief Chuck Harmon, St. Petersburg

Fort Myers
Sheriff Tom Knight, Sarasota
Chief Tom Weschler, Naples

Jacksonville
Sheriff Sadie Darnell, Alachua
Chief Joel DeCoursey Jr., Alachua

Orlando
Sheriff Don Eslinger, Seminole
Chief Brett Railey, Winter Park

Miami
Sheriff Ric Bradshaw, Palm Beach
Chief John Brooks, Sunrise
Regional Drug Enforcement Strike Forces
Stats: March 2011 - June 2013

• Strike Force efforts statewide have resulted in:
  – 4,163 arrests (including 75 doctors), and
  – the seizure of 856,738 pharmaceutical pills, 123 vehicles, 567 weapons, and $10,549,628.

• Additionally, 254 pain management clinics closed.
FLORIDA’S FIRST DECLINE IN PRESCRIPTION DRUG DEATHS
FLORIDA OXYCODONE DEATHS DECREASE BY 17.7%
Recap of ME Report

• After a frightening decade long surge in its prescription drug overdose death rate surge, Florida is now reporting a decline in the number of prescription drug deaths for 2011.

• The significance of this decline cannot be overstated: during the previous six years, prescription drug deaths were increasing by 12 percent on average each year, with oxycodone deaths increasing an average of 35 percent each year.
Recap of ME Report (cont.)

• Since 2003, oxycodone deaths increased each and every year and were a major factor in Florida’s skyrocketing prescription drug overdose death rate.
  – In 2011 however, oxycodone driven overdose deaths in Florida decreased by 17.7 percent (268 fewer deaths).
  – Overall, there were fewer prescription drug related deaths last year (171 fewer deaths, a 6% decline), including slightly fewer overdose deaths caused by hydrocodone and methadone when compared to 2010.
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Update on Florida’s PDMP

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July 23, 2013
Objectives

- Brief review of PDMP’s
- Provide overview of Florida’s Prescription Drug Monitoring Program regulations
- Discuss Florida’s data reporting requirements
- Discuss impact on doctor shopping
Prescription Drug Monitoring Programs

- Established by state law and located in various agencies.
- Database collects and stores controlled substance dispensing information.
- Differ in controlled substance schedules monitored, timeliness of data uploaded, interoperability between states, and mandatory use.
Legal Framework

- Fla. Stat. 893.055 authorizes DOH to establish database system.
- Federal Controlled Substance Act.
- Florida Controlled Substance Act.
- Local Ordinances
Reporting Requirements

- Pharmacy and dispensing practitioners must report within 7 days of dispensing a controlled substance in schedules II, III and IV to an individual
- Mandatory reporting began September 1, 2011
- E-FORCSE requested dispensers report retroactive data from December 1, 2010
- >78 MILLION records in database
Reported Information

- **Patient**
  - Demographics
  - Date of Birth
  - Gender

- **Prescriber**
  - Demographics
  - DEA Number
  - NPI Number
  - State License Number

- **Pharmacy**
  - DEA Number
  - Rx Number
  - Date written, date filled
  - Refill Number
  - Drug Name
  - Strength
  - Dosage Form
  - Quantity
  - Payment Type
CS Information Not Reported

- If *administered* directly to a patient during that particular treatment session
- If *administered* to a patient receiving care in a hospital or emergency room, nursing home, ambulatory surgical center, hospice, intermediate care facility for developmentally disabled
- If *administered* or *dispensed* in the health care system of the Department of Corrections
- If *administered* or *dispensed* to a patient less than 16 years of age
- If *dispensed* one-time 72-hour re-supply to a patient
- If *prescribed* by a health care practitioner
- If *prescribed or dispensed* by DOD/VA
A health care practitioner who willfully and knowingly fails to report the dispensing of a controlled substance as required by section 893.055, F.S., commits a first degree misdemeanor.
Law Enforcement

- Section 893.055(7)(c)1-3., F.S., provides that a law enforcement agency may request **indirect access** to confidential information in the database during **active investigations** regarding potential criminal activity, fraud, or theft regarding prescribed controlled substances.
Section 893.055(1)(h) defines an **active investigation** as an investigation that is being conducted with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings, or that is ongoing and continuing and for which there is a reasonable, good faith anticipation of securing an arrest or prosecution in the foreseeable future.
Authority to Access the Database

DOH and Medicaid Fraud Unit

- Section 893.055(7)(c)1-3., F.S., provides that the Department of Health Investigative Services Unit and Medicaid Fraud Unit investigators may have indirect access to the information in the database to aide in the investigation of cases involving controlled substances.
Section 893.0551, F.S., ANY person who willfully and knowingly violates this section of law by sharing confidential protected health information commits a felony of the third degree.
Law Enforcement Use

- E-FORCSE staff has approved 225 Agency Administrators
- More than 600 officers have completed the registration process and been approved to use the database to request investigative reports
- >29,000 queries since November 14, 2011
Effectiveness of PDMPs

- Florida data showed a 35% reduction in doctor shoppers as registration and health care practitioner use increased doctor shopping tendencies decreased.

- Pinellas County data showed a reduction of deaths associated with oxycodone with mandatory use.
Effectiveness of PDMPs

- DOH evaluated effectiveness by sending an electronic survey to 2,000 registered users and 2,000 non-registered users.
- 84% of respondents indicated E-FORCSE was a very useful or somewhat useful in helping to control doctor shopping.
- 83% believe E-FORCSE should be used.
- Positive actions resulted from using E-FORCSE.
Conclusion

- Florida has seen doctor shopping reduced in counties which mandate use.
- As database use increased doctor shopping tendencies decreased.
- Use may improve prescribing, patient safety and drug treatment.
- Survey results and studies have shown a positive impact when patients are monitored.
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QUESTIONS?