The webinar will begin shortly

PDMPs and the Courts: Part 1
Overview of PDMPs
PDMPs and the Courts: Part 1
Overview of PDMPs
Statement of the Problem

• Almost 2 million Americans abused or were dependent on prescription opioids in 2014

• An estimated 10 million people used prescription opioids for nonmedical use in 2014

• There were an estimated 64,070 drug overdose deaths in the U.S. in 2016
  • An estimated 42,249 were due to opioids
  • Almost 61% of all drug overdose deaths occurring in 2014 (47,055) involved an opioid (26,647)*

• Opioid overdoses continue to increase
  • An estimated 33,091 in 2015

Sources:
https://www.cdc.gov/drugoverdose/data/statedeaths.html

Opioid Epidemic

• Different from any other drug epidemic
  • Manufactured by pharmaceutical companies
  • Distributed throughout our health-care system
  • Prescribed by physicians and other licensed professionals
  • Dispensed by pharmacies

• Challenge: Need to balance enabling medical use with preventing misuse and abuse
Responding to the Epidemic

• Implementing the CDC “Guideline for Prescribing Opioids for Chronic Pain”
• Improving access to and use of prescription drug monitoring programs
• Enhancing naloxone distribution and other harm-reduction approaches
• Improving linkage to treatment
• Supporting law enforcement strategies to reduce the illicit opioid supply

A multifaceted collaborative public health and law enforcement approach is urgently needed.

Sources: Rose, A., M.S.P.H.; Puja, Seth, Ph.D.; Felicita, David, M.S.; Lawrence Scholl, Ph.D. Increases in Drug and Opioid-Involved Overdose Deaths—United States, 2010–2015

CDC Morbidity and Mortality Weekly Report, December 16, 2016, http://www.cdc.gov/mmwr/volumes/65/wr/mm65051el.htm?s_cid=mm65051el_w.
History of PDMPs
First Prescription Drug Monitoring Program

• New York State 1918

• Drugs
  • Cocaine
  • Morphine
  • Heroin

• State’s role

• Doctor’s role

• Pharmacist’s role
  • Copy to state within 24 hours of dispensing
Enactments of PDMPs

- 1939–1959: 13
- 1960–1969: 2
- 1970–1979: 2
- 1980–1989: 3
- 1990–1999: 2
- 2000–2009: 24
- 2010–Present: 7
Early PDMPs: Characteristics

- Purpose of PDMPs
  - Law enforcement
  - Curtail diversion
- Collected ONLY Schedule II drugs
- Use of state-issued prescriptions
- Frequency of collecting data
  - 30 days from time of dispensing
Early PDMPs: Information Gathering

1. State PDMP issues serialized prescription blank
2. Doctor prescribes Rx and keeps a copy
3. Pharmacy dispenses, keeps a copy, and sends copy to PDMP
4. Patient brings Rx to pharmacy
5. State PDMP enters information into database
U.S. Supreme Court Decision
Whalen v. Roe

- New York State PDMP Program
- Decision supports the ability of the state to collect prescription information
- Provided validation for the other existing PDMPs
- Paved the way for future PDMPS nationally
How does a PDMP work?
PDMP System Overview

PDMP

Dispensers

Prescribers

Law Enforcement and Professional Licensing Agencies

State PDMP

Pharmacists
Prescription Information PDMPs Collect

• Patient identification
  • Name and address
  • DOB and gender

• Prescriber information

• Pharmacy information

• Drug information
  • Name, type, strength
  • Quantity and date dispensed
  • Days’ supply
  • Source of payment (49 PDMPs)
Data Collected From Pharmacies

- PDMPs collect dispensed controlled substance prescriptions
  - 41 collect Schedules II–V
  - 12 collect Schedules II–IV only
- 18 currently collect noncontrolled medications
  - 8 collect Gabapentin
  - 6 collect Butalbital w/acetaminophen
  - 6 collect Ephedrine products
- Reporting frequency
  - Real time—1 (OK; NY by statute; optional in UT)
  - Daily—44
  - Every 3 days—1
  - Weekly—3
  - Biweekly—2 (15 days in PR)
  - Batch reporting
  - State profiles—www.pdmpassist.org/content/state-profiles
PDMP Reports

• Reports are provided to
  • Doctors and other prescribers
  • Pharmacies
  • Health profession licensing boards
  • Law enforcement
  • Medical examiners
  • Medicaid state agencies
  • Prosecutorial authorities
  • Drug courts
Types of PDMP Reports
Types of PDMP Reports

• Reports can be produced based on
  • Patient
  • Prescriber
  • Pharmacy
  • Drug

• Solicited (data requested by user)—all PDMPs

• Unsolicited (PDMP sends data to user)—35 PDMPs

• Specialty reports—statistical, drug trends, geographical, analytical, prescriber report cards

• Access to reports varies somewhat by state
**Sample Patient Report**

### Patient Rx History Report

**BETTY TESTPATIENT**  
13578182  
Search Criteria: (Last Name = 'Testpatient' And First Name = 'Betty') And D.O.B. = '1/1/1970' And Gender = 'F' And Street = " " And Zip = " " And Phone = " " And Request Period = '8/14/2011 to 9/9/2013'  

#### Patients included in report that appear to match search criteria

- 1286 BETTY TESTPATIENT, DOB 01/01/1970; 123 BROADWAY, COLUMBUS, OH 43215  
- 1289 BETTY TESTPATIENT, DOB 01/01/1970; 234 WEST ST, WESTERVILLE, OH 43081  
- 5142 BETTY TESTPATIENT, DOB 01/01/1970; 123 BROADWAY, COLUMBUS, OH 43215

#### Active Cumulative Morphine Equivalent

**59.6**  
"See explanation provided at the end of the report"

### Prescriptions

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Uses by Prescribers/Pharmacists

• Prescription history of a current or a new patient
  • Misuse or addiction
  • Multiple prescribers/dispensers
  • Drug interactions or other potential harm
  • Compliance with pain contracts

• Practitioner prescribing history
  • Fraudulent scripts
  • Monitor patient’s compliance with Rx directions
Uses by Law Enforcement Agencies

- Unlawful sale of controlled substances
- Unlawful sale of prescriptions
- Unlawful prescribing
- Unlawful dispensing
- Organized forgery rings
- Organized doctor-shopper rings
Uses by Boards/Licensing Agencies

• Meeting patient treatment standards
• Improving the prescribing and dispensing of drugs
• Monitoring compliance of prescribers currently on probation
• Monitoring compliance of dispensers reporting information to PDMPs
• Investigation of complaints against licensees
Uses by Courts/Judges

- Drug courts (15 PDMPs)
  - Assist in monitoring compliance of participants
  - Verify compliance with medication regimen

- Prosecutors (32 PDMPs)
  - Assist in prosecution of controlled substance law violations by prescribers, dispensers, individuals, facilities, distributors, and manufacturers
  - Assist in obtaining evidence of criminal violations by specific prescribers, dispensers, individuals, facilities, distributors, and manufacturers

- Probation and/or parole officers (19 PDMPs)
  - Assist in monitoring compliance of parolees and probationers
  - Verify compliance with medication regimen
Other Uses of PDMP Reports

• Medical examiners
  • Assist in identifying cause of death in drug overdose cases

• Public health
  • Research, treatment, prevention, and education

• Impaired professional programs
  • Assist in monitoring compliance of health-care professionals

• Medicaid/Medicare
  • Drug utilization review boards
  • Identify other sources of drugs (forms of payment)
  • Monitor clients restricted to single practitioner/pharmacy
Thank You

Email: info@pdmpassist.org
Telephone: (781) 609-7741
Website: www.pdmpassist.org
The National Judicial Opioid Task Force, in collaboration with the Prescription Drug Monitoring Program Training and Technical Assistance Center, invites you to attend the second in a series of webinars to learn how state court systems are working with prescription drug monitoring programs (PDMPs) to address the opioid crisis. Part 2 of this series will address access to, and use of, information contained in PDMPs. Topics in the webinar will include: types of PDMP reports, court access of PDMP data, valuable uses of PDMP information in the justice system, and other important topics.

To view this webinar on October 18th at 3:00 PM Eastern Time, click on PDMPs and the Courts: Part 2 or copy and paste this link (https://brandeis.zoom.us/j/132766241) into your browser bar. Please share this invitation with your colleagues and stakeholders.

Advance registration is not required. Zoom software will be used for the presentation and may need to be downloaded before the webinar begins.