



National Association of State
Controlled Substances Authorities



NASCSA NEWS

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Contact Us

NASCSA
72 Brook Street

Quincy, MA 02170
Phone: (617) 472-0520
Fax: (617)472-0521

E-mail: kathykeough@nascsa.org
Website: www.nascsa.org

Webmaster: ward@nascsa.org

DEA Scheduling Action

The US Drug Enforcement Administration (DEA) has issued proposed rules/interim rules on a number of scheduling actions of interest to members including the following:

- Temporary Placement of 4-Fluoroisobutyryl Fentanyl Into Schedule I
- Placement of FDA-Approved Products of Oral Solutions Containing Dronabinol [(-)-delta-

President's Message

Greetings! I hope everyone has survived the winter. NASCSA's Executive Committee and its [committees](#) have been very busy over the past several months on a variety of projects that you will be hearing about more. We are looking forward to a great conference this fall at the Drury Plaza Riverwalk in San Antonio, Texas October 17-20, 2017, with an impressive lineup of topics and speakers. More information will be made available in the coming months but please put these dates in your calendar now. As always, if you have suggestions/comments, please feel free to contact me. Finally, the Executive Committee will be holding a midyear meeting in Boston next month to review NASCSA's strategic plan, hear committee updates and discuss overall operations of the organization and we will be providing an update in our next communication.

David Dryden, President, NASCSA

Save the Date for Our Annual Conference

The 33rd annual conference will take place at the [Drury Plaza Hotel Riverwalk](#) October 17-20, 2017 in San Antonio, Texas. Registration information as well as information on hotel accommodations is available on our website [here](#). We would strongly

9-trans-tetrahydrocannabinol (delta-9-THC)] in Schedule II

- Placement of Brivaracetam Into Schedule V
- Placement of 10 Synthetic Cathinones Into Schedule I

More information can be found [here](#).

Travel Scholarships Available to Attend NASCSA's Annual Conference

The Executive Committee has authorized the awarding of travel scholarships to attend this year's annual conference. Travel scholarship criteria as well as the application form and instructions have already been posted [here](#). The deadline for submitting applications is June 23, 2017.

State Regulatory Developments

NASCSA members may not be aware of an

urge members to book your hotel early as this is a particularly busy time of year. Check the website on a regular basis for updates.

A preliminary program will be posted later this Spring, however we have already confirmed a number of topics including various topics related to Prescription Monitoring Programs, an update from various federal agencies, drug trends, as well as a presentation on drug abuse trends among veterans. As always, this year's program promises to be exciting and interactive. In addition, we are pleased to announce that we have already booked the Hotel Valley Ho in Scottsdale, Arizona for our 2018 conference. The Executive Committee will be discussing future dates beyond 2018, format and duration of the conference based on feedback provided by members last year.

NASCSA Committees Hard at Work

This year NASCSA has six committees that have been hard at work on a variety of projects. Committee members, comprised of volunteers from member states as well as associate members which are the backbone of the organization and we would encourage all members to consider volunteering. For a list of committee members click [here](#). Below is a description of committee highlights.

Grants, Sponsorships and Membership - In addition to developing the criteria for this year's travel scholarships, members of the committee will be reviewing the applicants in order to make recommendations to the Executive Committee after the receipt of all those who have submitted applications. The Committee is also in the process

important (complimentary) resource of great value on regulatory changes occurring in other states related to controlled substances, prescription monitoring programs, scheduling changes, updates to state recordkeeping and security requirements and licensure changes to name a few. "State Regulatory Updates" is compiled each month and is posted on NASCSA's website located [here](#). We would strongly encourage you to check this section of our website as it may provide insights of what other state agencies are doing nationally and serve as a vital resource and information sharing.

Interested in PMP Legislation?

Due to our ongoing collaboration with the National Alliance for Model State Drug Laws (NAMSDL), we have been provided with an updated compilation of information on state and federal legislation and regulations pertaining to Prescription Monitoring Programs as a courtesy to members. The latest listing is found [here](#) under the PMP section of our website.

On Twitter?

of updating its newsletter policy and will be working on updating NASCSA's brochure to reflect bylaw changes passed at the annual conference. The committee is also brainstorming about prospective sponsors and identifying other individuals and organizations to reach out in order to expand its membership and sponsorship base to continually ensure that NASCSA continues to be self-sustaining in the future. If you are aware of potential organizations that we might want to reach out to please contact us! Speaking of sponsors, we would like to thank those sponsors who continue to support NASCSA and the important work we do.

Program - Members of the committee are hard at work working on the 2017 conference, taking into consideration feedback from last year's conference evaluation to ensure yet another successful conference. It is not too late however to provide suggestions for conference speakers and/or topics for consideration. If you are interested in participating as a speaker or panelist at this year's conference please let us know as we are always looking for volunteers from our own membership in order to highlight the important work our members are doing.

Survey/Data - The committee has just begun its work of developing potential surveys of the membership. In addition, the committee will be working with our webmaster Bill Ward on additional enhancements to our new database management software which has helped NASCSA to update contact information quickly as well as updates on various regulations/statutes. We would ask that state agencies check the state profile page here for their respective states to let us know whether any information needs updating. If there is information you feel would be helpful, please forward those suggestions.

Resolutions/Bylaws - The committee is in the process of preparing minor changes to the bylaws following last year's annual business conference. The proposed changes to the bylaws will be distributed later this summer. In addition, the committee will be reviewing potential resolutions for consideration by members at the annual

NASCSA is pleased to announce that it is now on Twitter. Make sure to follow us @NASCSA

conference. All members are strongly encouraged to provide their suggestions on possible resolutions and ideally suggested language as soon as possible. In addition, it should be noted that that all members are permitted to submit proposed resolutions in accordance with our Bylaws, found at Article XI. Draft resolutions will be distributed in early September (45 days prior to the annual meeting). Any proposed bylaw changes will be distributed 60 days in advance of the meeting. The committee will also be working to developing guidelines for voting on resolutions and election of officers at this year's meeting.

Prescription Monitoring Program - The committee is meeting on a monthly basis and has a number of important tasks it will be working on this year including but not limited to the following: 1) developing a strategy to solicit support for the PMP Model Act from various organizations; 2) working on Prescription Monitoring Program topics/speakers for this year's conference in October that are of most importance to PMP administrators; 3) performing a gap analysis; 4) discussing potential resolution(s) for consideration; and 5) discussing data and analytic metric sharing. More information will be provided on these important initiatives as they progress.

Policy and Procedures - A committee has been formed to review NASCSA's written policies and procedures to ensure that these documents are current and up to date. These policies are to ensure the smooth operation of the organization and to provide a roadmap for overall operations of the organization.

From the States

Florida - Miami-Based Physician Charged for Role in Pain Pill Diversion and Medicare Fraud Scheme (March 23, 2017; [U.S. Department of Justice](#)).

Ohio - Illicit use of gabapentin is on the rise

among individuals with a history of opioid abuse, indicates the Ohio Substance Abuse Monitoring (OSAM) Network. In addition to treatment providers and law enforcement officers reporting on the widespread prevalence of the drug, focus group participants from Ohio regions including Athens, Cleveland, Columbus, and Youngstown have reported increased street availability of Neurontin® in the past six months, according to a recent OSAM alert. Based on data from the Ohio Automated Rx Reporting System, the State of Ohio Board of Pharmacy notes gabapentin was the number one drug dispensed in the state during December 2016. Gabapentin was dispensed at a greater rate than any other controlled substance, and it was dispensed at a 30% higher rate than the number two drug, oxycodone, in December 2016.

Louisiana - The Louisiana Supreme Court rules that records of prescription use from the PMP require a warrant if sought for investigative purposes. The appellant was apparently charged with violations of state controlled substance laws and had moved to suppress evidence obtained from his pharmacy records, which were obtained by warrant based on probable cause which arose from a search of the Louisiana Prescription Monitoring Program conducted without a warrant. The investigator obtained the PMP records in accordance with the administrative procedures established for the PMP, but the Louisiana Supreme Court ruled that its prior jurisprudence requires "a search warrant before a search of prescription and medical records for criminal investigative purposes is permitted." The administrative procedures for the PMP "simply and clearly do not suffice to comply with the constitutional requirements of probable cause supported by a sworn affidavit for the issuance of a search warrant." The Court reversed the trial court's denial of the motion to suppress, and remanded the case for further proceedings. [State of Louisiana v. Brock, No. 2015-K-2165, S.C. La., 2017 La. LEXIS 431, February 24, 2017]

Vermont - Proposed rule of the Agency of Human Services, Department of Health, amends regulations regarding regulated drugs. The rule adds drugs and chemical substance to the lists of stimulants, narcotics and hallucinogenics that are

illegal and or judged to be potentially fatal or harmful to human consumption unless prescribed and dispensed by a licensed professional. The rule also establishes benchmark dosages for certain drugs to provide a baseline for use by prosecutors to seek enhanced penalties for possession of higher quantities of the drug. A hearing is scheduled for March, 31, 2017.

Wisconsin - The Wisconsin Medical Examining Board announced the extension of a Nov. 14, 2016, emergency rule that amends regulations to establish requirements for the completion of continuing education relating to the opioid prescribing guidelines as a portion of the biennial training requirements for physicians. The extension is effective April 9, 2017, and expires June 7, 2017.

Comings and Goings

- Drew Simpson, Oregon's PDMP Research Analyst will be covering PDMP Coordinator duties following the resignation of Jennifer Eskridge.
- David Johnson has assumed the role of PMP Director in the state of Massachusetts. Mr. Johnson formerly served as Executive Vice President of the Massachusetts Pharmacists Association.
- Michael Bullek was recently hired as Executive Director/Chief of Compliance at the New Hampshire Board of Pharmacy
- Jinhee Lee, formerly from SAMHSA and a long-time speaker at NASCSA's annual conference has accepted a position at the National Institute on Drug Abuse as Content Development Director.
- Kimberly Johnson is now Director of CSAT at SAMHSA.

Know of a retirement, promotion or change in staff, email, mailing address? Please let us know!

We hope you enjoyed this latest edition of NASCSA News. We strongly encourage members and others to share information from their respective agencies for consideration for our newsletter. Please email

KathyKeough@nascsa.org with your articles

and ideas.

Kathy Keough, Executive Director

N.A.S.C.S.A, 72 Brook Street, Quincy, MA 02170

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