

NASCSA NEWS

April 3, 2010

President's Message

The Drug Enforcement Administration has taken another significant step toward enabling electronic prescribing of controlled substances prescriptions by recent publication of an interim final rule (Federal Register, Mar. 31, 2010). In so doing, DEA was responsive to the concerns raised in written testimony by NASCSA and other organizations with regard to the process of identity proofing as proposed in the notice of proposed rulemaking (NPRM) published in June, 2008. At that time, NASCSA's then President Karen Tannert (TX) had, on behalf of the organization, raised questions and concerns about the serious challenges state agencies, including controlled substances authorities, could face in conducting identity proofing as envisioned in the NPRM. In the interim rule, DEA has taken a different tack with respect to identity proofing, which does not place responsibility on state agencies. DEA seeks comments in this area and others, due on June 1, 2010 when the rule goes into effect. NASCSA's Executive Committee welcomes questions and comments from the membership and other partners over the coming weeks as it reviews the new course that DEA has charted for electronic prescribing.

Grant Carrow, President, NASCSA

Save the Date for NASCSA's Annual Conference: October 19-22, 2010

Mark your calendars for the 26th Annual Conference of the National Association of State Controlled Substances Authorities to take place at the Embassy Suites Hotel in Charleston, South Carolina October 19-22, 2010. The Program Committee is hard at work putting the finishing touches on an exciting and thought provoking forum featuring topics such as a presentation from students from Recovery High School, pain management, creative programs used by states with prescription drug monitoring programs, electronic prescribing of controlled substances among others.

Conference materials will be available in the next several months but save the date for what promises to be our best conference ever.

Second Round of Grants Awarded to State Prescription Drug Monitoring Programs

NASCSA is pleased to announce that it has awarded funding to Minnesota, Florida and Oklahoma as part of the second round of funding through the Prescription Drug Monitoring Program (PDMP)

Important Conference Reminder

Recognizing that many states are facing financial difficulties travel scholarships will be awarded to states to attend this year's conference. The Executive Committee will be meeting in May and will determine at that time the number of scholarships and criteria. Additional information will be shared when it is available.

Having trouble reading "NASCSA News"?

If your contact information changes, please login using the original email address you originally had subscribed with and update any information (including your new email address and updated contact informatoin)

State Regulatory Developments

State Regulatory Developments is a monthly compilation by NASCSA of state regulatory actions related to pharmacy and controlled substances. State Regulatory Developments is located on the website

Grant Program. This is in addition to the nine states funded in February 2010 in the first round. The Program is funded by a \$200,000 grant from Purdue Pharma, LP to support the operation, expansion and awareness of appropriately-designed state prescription drug monitoring programs. Following is a brief description of the projects funded under the grant program:

Florida - Project will assist in the acquisition of equipment to support the implementation of the Prescription Monitoring Program in Florida. Includes a copier, network printer and high speed fax.

Minnesota - Project will support enhancements to program software intended to reduce need for staff interaction and provide an enhanced product to authorized users of the program. Includes improvements to search capabilities and adds computer based training.

Oklahoma - Project will support a marketing effort designed to increase the percentage of registered users to the program and to purchase training development software licenses to assist in developing training targeted to specific stakeholder groups.

DEA Releases FAQ Document on Electronic Prescribing of Controlled Substances

The US Drug Enforcement Administration has released a "Frequently Asked Question" document explaining new requirements for electronic prescribing of controlled substances. The document is found on the Office of Diversion Control's main website at:

http://www.deadiversion.usdoj.gov/ecomm/e_rx/faq.htm

One of NASCSA's Founding Members Retires



After a quarter century of state service, Dr. Charles Ray Nix, Director of Pharmacy at the Mississippi Department of Health (MDH), recently announced his retirement. Dr. Nix was one of the original founding members of NASCSA. During his career at MDH, Dr. Nix directed the development of a statewide computerized drug distribution program, established a formulary system, and assisted legislative counsel in developing annual revisions to the Mississippi Uniform Controlled Substances Law. Dr. Nix has a Bachelor's degree in Pharmacy from the University of Mississippi and both a Master's degree and a Ph.D. in Pharmacology from the University of Mississippi Medical Center.

www.nascsa.org under "News."

Illinois Reaches a PMP Milestone

By Stan Tylman

Two years ago, with the generous assistance from the Harold Rogers Grant program provided by the Justice Department's Office of Justice Programs, the Illinois PMP expanded dramatically. The Illinois PMP found that emergency departments in Illinois hospitals needed access to the PMP data in order to more effectively identify and deflect drug misusers and abusers. The Illinois PMP also concluded that general medical prescribers and dispensers needed PMP data for these same reasons. As a result, Illinois law was changed to allow the creation of the Illinois Prescription Information Library (the PIL) website which would meet the medical needs of medical providers, as well as, improve law enforcement. Ten prescribers and ten dispensers were asked to test the PIL website. Since the PIL database of dispensed prescriptions was updated weekly, it provided a registered user the opportunity to review current controlled substance usage of patients.

It was the contention of the Illinois PMP that prescribers and dispensers would accomplish two law enforcement objectives. First, the medical providers would be aware of individuals intending to abuse and misuse controlled substances. This would allow them to treat or deter a patient from the attempt. Second, the medical providers would act as excellent eyes and ears for law enforcement in the pursuit of individuals who deliberately violated the various federal and state statutes related to controlled substances.

By word-of-mouth, the overall PIL website registrations reached 10,000 on February 24th of this year, which is twenty six months after the 20 individuals were asked to test the website. Law enforcement requests which resulted in a report jumped from 16 in 2007 (the year prior to the PIL) to 93 in 2008 (the PIL's first year) to 321 in 2009. If support from the Justice Department continues, the Illinois PMP believes that PIL registrations will be some 22,000 by the end of 2012. The Illinois PMP also anticipates that it will generate some 721 investigatory reports for law enforcement during 2011. The PIL also posts links on the site to all state, federal and local law enforcement entities which allows medical providers with the necessary tools to report suspected illegal activity.

Editorial Calendar Announced

NASCSA's electronic newsletter, launched two years ago, has been well received by our members. Content and editorial direction is the responsibility of the Membership Committee, currently chaired by Frances Kelly (IN), with members Alan Must (Purdue); Karen Tannert (TX); Mark Keeley (OH) and Ron Klein (MT). The newsletter will be released on the following dates each year, with more frequent updates as necessary: April 1, June 15, August 5, October 1 and November 1. Please send suggestions and articles for consideration to be included in future issues.

From the States

- **Illinois** - Final rules were promulgated that amend regulations pertaining to electronic prescription monitoring to add Schedule III, IV, and V controlled substances to the prescription monitoring program; and establish provisions regarding the state Prescription Information Library database. The rules also authorize other states access to the Illinois prescription monitoring program and require pharmacists to report prescriptions dispensed weekly rather than semi-monthly. The rule was effective Dec. 9, 2009.
- **Iowa** - The Board of Pharmacy proposed regulations that would require drug wholesalers to complete an annual inventory of all controlled substances in stock and to maintain the record of inventory for a period of two years from the date of inventory. Comments are due Jan. 19, 2010.
- **Louisiana** - The Board of Pharmacy issued proposed rules that would amend regulations to add butalbital (containing at least 325 milligrams of acetaminophen) and tramadol as "drugs of concern" under the state's prescription monitoring program. A hearing was held on Jan. 27, 2010.
- **Washington** - The Washington Board of Pharmacy joins at least 15 other states in making carisoprodol a Schedule IV controlled substance in Schedule IV using its authority under the Washington Uniform Controlled Substances Act (RCW 69.50). The rescheduling became effective on February 5, 2010. [WAC 246-887-070(5)] Note: The DEA announced proposed rule-making on November 17, 2009 to place carisoprodol in Schedule IV federally; the comment period expired on December 17, 2009. [74 Fed. Reg. 59108-59112, November 17, 2009]

For more information from states on regulatory developments, visit NASCSA's website at www.nascsa.org and click on the "NEWS" section.

Annual Conference Reminder: October 19-22, 2010

We hope you have enjoyed our our most recent edition of the NASCSA Newsletter. This electronic newsletter is sent periodically to update and inform members and other interested parties of matters that may be of interest. If you have news items to share or other information that may be helpful to our members, please forward to me.

Sincerely,
Kathy Keough
Executive Director, NASCSA
Email: kathykeough@nascsa.org
NASCSA | 72 Brook Street | Quincy | MA | 02170