



National Association of State  
Controlled Substances Authorities



## NASCSA NEWS

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### It's Dues Renewal Time

As a small nonprofit organization, NASCSA relies on dues from its members to help support its operations and to continue to provide valuable services to our members. Dues statements for this year (July 1, 2015 through June 30, 2016) have been distributed to members. If you have any questions please feel free to contact the office. If you need to update any information, please make sure to complete the membership [application](#) to ensure we have updated contact information. Please note that in order for states to be eligible for full

### Kentucky House Bill 1 Legislation - Effects on Prescription Abuse

In 2012, Kentucky passed comprehensive legislation, commonly known as House Bill 1, to address the drug abuse epidemic and to curtail diversion of prescription drugs. The legislation made significant changes to the Kentucky's PDMP known as the Kentucky All Schedule Prescription Electronic Reporting System or KASPER. The legislation required prescribers and dispensers to register with KASPER, required dispensers to transmit prescription information to KASPER within 24hrs after the drug was dispensed, and mandated prescribers to query the PDMP under certain situations. House Bill 1 also contained legislation to regulate pain clinics. Kentucky Governor Steve Beshear held a press conference on July 27, 2015 detailing the effects of the legislation. View the [press conference](#).

The Kentucky Cabinet for Health and Family Services which manages the PDMP also contracted with the University of Kentucky, College of Pharmacy, to evaluate the impact of the legislation and identify any unintended consequences. Read the [study results](#).

### AMA Takes on RX Drug Abuse

The American Medical Association (AMA) has convened a [task force](#) with more than 20 state and specialty medical associations, the American Osteopathic Association and the American Dental Association to work collaboratively to address the opioid public health epidemic by identifying best practices and implementing them across the country. The group has developed a roadmap that will focus on steps physicians can and includes use of state-based prescription drug monitoring programs; encourages discussions with patients on available treatment options and education. A copy of a recent article is found [here](#).

participation in the organization, including voting, running for office, and travel scholarships, dues must be paid in full.

## DEA Announces RX Drug Take-back Day

DEA Acting Administrator Chuck Rosenberg today announced that the 10th National Prescription Drug Take-Back will take place September 26th from 10 am-2 pm local time. As with the previous nine Take-Back events, sites will be set up throughout communities nationwide so local residents can return their unwanted, unneeded, or expired prescription drugs for safe disposal. Collection sites in every local community can be found by going to [www.dea.gov](http://www.dea.gov). This site will be continuously updated with new take-back locations. The National Prescription Drug Take-Back addresses a vital public safety and public health issue. Many Americans are not aware that medicines that languish in home cabinets are highly susceptible to diversion, misuse, and

The AMA also is calling on states to make sure their PDMPs are truly valuable tools. These databases need to protect patient privacy, contain relevant and reliable data, allow care teams to seamlessly integrate that data into their work flows, and enable data sharing across state lines.

In the coming months, AMA has indicated that it plans to share additional recommendations and educational resources from the task force that can help physicians in their daily practice of medicine.

## Save the Date for the Annual Conference Program Available online

The 31st annual conference will take place at the [Hotel Valley Ho](#) in Scottsdale, Arizona October 20-23, 2015 in the heart of beautiful Scottsdale, Arizona. The hotel is in the heart of the historic district and within easy walking distance of many of the finest restaurants in the city as well as shopping and historic sites. Members of the Program Committee and the Executive Committee are confident that members will be thrilled with this year's program. Registration information as well as information on hotel accommodations is available on our website [here](#). It is not too early to book your hotel and make sure you are not disappointed. If you attended NASCSA's conference several years ago you know that the Hotel Valley Ho is an amazing property. A final program is available [here](#) and includes a number of exciting topics and speakers as well as several workshops to choose from.

Please feel free to [register](#) for the conference now. Please note that those interested in attending sessions on Prescription Monitoring Programs should plan to attend at 9 a.m. on Tuesday, October 20, 2015 so please plan your travel accordingly.

The room rate is \$163 per night single/double occupancy. The hotel features complimentary Wi-Fi access. There are a number of transportation options available to attendees, which are listed [here](#). We will again be hosting a welcome dinner as well as a networking luncheon that provides a unique opportunity for attendees to stay on the property and network with their colleagues.

abuse. Rates of prescription drug abuse in the U.S. are at alarming rates, as are the number of accidental poisonings and overdoses due to these drugs. Studies show that many abused prescription drugs are obtained from family and friends, including from the home medicine cabinet. In addition, many Americans do not know how to properly dispose of their unused medicine, often flushing them down the toilet or throwing them away - both potential safety and health hazards. "Prescription drug abuse is a huge problem and this is a great opportunity for folks around the country to help reduce the threat," Rosenberg said. "Please clean out your medicine cabinet and make your home safe from drug theft and abuse."

Interested in PMP Legislation?

Due to our recent 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

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## DEA Reaches Settlement with CVS

BOSTON - The United States has reached a civil settlement with CVS Health in connection with allegations that the CVS pharmacy in Carver, MA violated federal regulations related to the sale of prescription drugs.

Twice in the spring of 2014 (March 14 and May 27), armed robbers stole large quantities of Schedule II prescription drugs from the CVS pharmacy at 100D North Main St. in Carver. Federal law required CVS to report those thefts immediately to the Drug Enforcement Administration (DEA). While CVS did report the May theft immediately, the company waited three weeks to report the theft that occurred in March.

A year ago this week, DEA investigators visited the Carver pharmacy to audit its controlled substances, using inventory and purchase and sale records that were not impacted by the robberies.

The investigators found record-keeping discrepancies effecting hundreds of Schedule II pills.

The government contended that CVS had failed to keep complete and accurate records of its controlled substances, in violation of the Controlled Substances Act.

The settlement requires CVS to pay the government a fine of \$50,000. "Prescription drugs handled by pharmacies are subject to strict requirements because of the potential for harm and abuse," U.S. Attorney Carmen M. Ortiz said. "This office will continue to ensure that pharmacies meet federal record-keeping requirements, which are the primary way that the government regulates controlled substances."

The agreement was signed late last week and Ortiz and Michael J. Ferguson, special agent in charge of the DEA's New England Field Division, announced the settlement Monday (July 27). The investigation was conducted by diversion investigators with the DEA's New England Division. The case was handled by Assistant U.S. Attorney Christine Wichers of Ortiz's Civil Division.

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## CLAAD Announces Leadership Change

July 23, 2015 - The Center for Lawful Access and Abuse Deterrence (CLAAD) last week announced

pertaining to Prescription Monitoring Programs as a courtesy to members. The latest listing is found [here](#) under the PMP section of our website.

## State Regulatory Developments

Did you know that NASCSA publishes a monthly compilation of state regulatory actions related to pharmacy and controlled substances. State Regulatory Developments is located on the website [here](#).

## Follow NASCSA on Twitter

NASCSA is pleased to announce that it is now on Twitter and the number of followers continues to grow each month so please follow us at @NASCSA.

that Marc M. Harrold, Esq., a former prosecutor and narcotics officer, will become the organization's Law Enforcement Liaison and Legal Consultant, effective immediately.

Mr. Harrold is an attorney, legal and political analyst, and author, and is currently principal at The Harrold Firm, PLLC. Previously, Mr. Harrold was an assistant chief counsel (prosecutor) with Immigration and Customs enforcement, an agency of the Department of Homeland Security. Earlier in his career, Mr. Harrold served as a police officer and narcotics task force officer with the City of Atlanta Police Department.

CLAAD is conducting a search for a new policy director. Michael C. Barnes, Esq., will continue to lead the organization as Executive Director.

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## NASPER Bill Moves an Inch Further

The House Energy and Commerce Committee last week advanced the National All Schedules Prescription Electronic Reporting (NASPER) Reauthorization Act. Last week's vote marked the eighth full committee mark up this Congress. [H.R. 1725, the National All Schedules Prescription Electronic Reporting \(NASPER\) Reauthorization Act](#), authored by Reps. Ed Whitfield (R-KY) and Joseph Kennedy (D-MA), would reauthorize the NASPER program to support state **prescription drug monitoring programs**.

## NABP Stresses Need for Accountability in Enforcing Internet Policies to Protect the Public From Illegal Online Drug Sellers

Last week the National Association of Boards of Pharmacy® (NABP®) issued a report urging greater accountability by the stakeholders charged with ensuring that action is taken against websites illegally selling medications online. As detailed in the [Internet Drug Outlet Identification Program Progress Report for State and Federal Regulators: July 2015](#), thousands of websites illegally distribute medications and avoid retribution. Such sites often distribute dangerous counterfeit drugs, putting at risk the health of the consumers who use them. Many of these rogue sites use domain names obtained from a small

number of registrars who turn a blind eye to their illegal activity. The report highlights the need for the Internet Corporation for Assigned Names and Numbers (ICANN) and domain name registrars - the stakeholders responsible for facilitating the use of Internet domain names - to enforce policies forbidding illegal use of websites and to take more accountability for shutting down rogue sites.

As noted in the report, NABP holds online drug sellers accountable to the laws and standards that govern pharmacy practice and, since 2008, the Association has been collecting data on websites selling medicine illegally online to United States patients. NABP has reviewed over 11,000 Internet drug outlets, finding that 96.13% of the sites reviewed operate out of compliance with US pharmacy laws and practice standards, and identifying these sites as "Not Recommended." Approximately 85% of Not Recommended sites are selling prescription drugs without requiring a valid prescription. Nearly 50% offer drugs that are either foreign, or not approved by the US Food and Drug Administration. Further, of the 10,588 Not Recommended sites, 87% can be traced to affiliate networks of rogue Internet drug outlets.

Websites illegally selling drugs to patients in the US and in other countries hide behind the anonymity of the Internet, and in the gray areas between enforcement boundaries where the question of who should take responsibility for enforcing Internet policies goes unanswered. Many stakeholders, however, believe that domain name registrars and ICANN could play a greater role in protecting consumers. Registrars can make an impact by fulfilling their responsibility to shut down domains that are being used for illegal activities, and ICANN can hold registrars accountable for meeting this obligation.

The risk to public health posed by these illegally operating sites was the impetus for NABP launching the global .Pharmacy Top-Level Domain (TLD) Program. Only legitimate Internet pharmacies and pharmacy-related websites will qualify for .pharmacy domains, giving consumers worldwide a way to distinguish safe and legal online pharmacies and resources from rogue sites. NABP began accepting applications for .pharmacy domain names in late 2014. General availability, when any entity with a pharmacy or pharmacy-related website may apply and, if approved, register for a .pharmacy domain name, began on June 3, 2015. More information

about the .pharmacy TLD, including a list of approved entities with registered .pharmacy domain names, is available at [www.safe.pharmacy](http://www.safe.pharmacy).

For the full report with detailed findings on the characteristics of rogue websites and the list of Not Recommended sites, visit [WWW.AWARERX.ORG/get-informed/safe-acquisition/not-recommended-sites](http://WWW.AWARERX.ORG/get-informed/safe-acquisition/not-recommended-sites).

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