

# PRESCRIPTION DRUG ABUSE MEDICAL TASK FORCE UPDATE

## Safe Prescribing in the ED: Campaign Adjustments for EMTALA

All Emergency Departments in San Diego and Imperial Counties have approved a Safe Prescribing Guideline for the emergency department. This document has been approved by the San Diego County Medical Association, the Hospital Association, and in Final Approval from the San Diego County Health and Human Services Agency. The initial vision was to promote transparency with the guidelines posted in every waiting room. However potential EMTALA citations have changed that plan.

South Carolina CMS has issued a letter stating that signs in the emergency department explaining pain guidelines would be considered an EMTALA violation. Dr. Lev contacted the California CMS office in San Francisco and found out that our own California regional CMS office has the same interpretation of EMTALA. So if a pain guideline is posted in the waiting room, then the hospital can be fined for an EMTALA violation.

The hospitals in Washington State and Ohio may be taking down their signs as well because of these EMTALA considerations.

Instead of signs, we will distribute the same ED Pain Guidelines in a handout to every single emergency patient at discharge. The handout can be given any time after a screening evaluation without EMTALA ramifications. A handout will accomplish the same educational message to the community as the signs. So the new plan is that every emergency department will be distributing similar handout with logos from the Health Department, Hospital Association, and Medical Society.

The words on the handout will mirror what was approved at the EMOC meeting. The art work and layout used has been designed in a 4 x 11" handout. The North Inland Community Prevention Program, a County Behavioral Health Services contractor, donated a Spanish translation. No financial resources have yet been identified to pay for a translation in other threshold languages (Vietnamese and Tagalong).



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## Prescriber Guidelines and Patient Pain Agreement

The San Diego County Medical Society, the Hospital Association, and Imperial County Public Health have endorsed the Prescriber Guidelines and Pain Agreement. Dr. Lev has made multiple presentations to various HHSA advisory groups and this endorsement is expected near the end of May.

Angela Goldberg shared that

graphics for these documents are in progress, with assistance from the Hospital Association, hospital Public Relations, and the County Communications office.

The final documents will be available on several web sites (details in the future):

- San Diego County Medical Association
- Hospital Association
- Council of Community Clinics
- Health and Human Services

### Pharmacy Concerns

At the May 10<sup>th</sup> meeting, several members noted that Walgreens and CVS pharmacies have refused to fill any opioid prescription without first confirming the prescriptions verbally with a physician. This can occur at off hours or routinely for many patients. The result has been excessive interruption to a physician practice and a barrier for patients who need medications. A small subcommittee was formed to arrange a meeting with the local Walgreens to try to find solutions to this problem. The pharmacy pendulum swing may be an overcorrection and response to fines by the DEA for failure to prevent potential diversion of drugs. Please let us know if you are experiencing similar problems so we can work on solutions.

### Report Card

PDATF (Prescription Drug Abuse Task Force) Facilitator Angela Goldberg distributed handouts with the preliminary Rx Report Card that tracks annual numbers/rates for Rx-related death, emergency room mentions, student self-reported use, arrestee self-reported use, treatment admits in the publicly funded drug treatment system.

She noted that 2012 data is similar to 2011 numbers and show a large increase from 2008. Another disturbing trend is a steady increase in heroin problems, as reflected in overdoses, border seizures, and treatment admits data.

The Rx Report Card will be finalized and shared with the public this summer. If you are interested in receiving a copy, contact [angelagoldberg@sbcglobal.net](mailto:angelagoldberg@sbcglobal.net).

This year we hope to include data from CURES on the number of prescriptions filled in our county.

## Member Updates

- DENTAL ASSOCIATION

Dave Milder has submitted an article for *Facets*, the local Dental Association Magazine. His article notes the growing prescription drug abuse problem, and calls on the dental community to be part of the solution with prescriber guidelines for the acute pain situations so common for dentists. We'll send a link to the article once it is published. He is interested in modifying Dr. Lev's presentation for dentists, and may also set up a special CURES registration event in conjunction with a June CME meeting.

*"Dentists can be the gateway for the first exposure to pain medicine with wisdom teeth extraction for young people. We need to be part of this initiative"*

- UCSD FAMILY MEDICINE

Nathan Painter reported that the UCSD Family Medicine at Scripps Ranch uses their pain agreement consistently for all chronic pain patients; a tough nurse manager helps. Almost all the doctors are registered in CURES, and CURES reports are run on a daily basis. The UCSD Clinic in Hillcrest and La Jolla are improving. Nathan recently gave a presentation to new residents. The UCSD form is 90% similar to the MTF (Medical Task Force) patient agreement. Prescriber Guidelines are not used yet. DEA agent, Tom Lenox offered to give residents a DEA presentation.

- VISTA COMMUNITY CLINIC

Dr. Cheryl Thompson of Vista Community Clinic noted the Clinic has their own pain agreements, but are waiting for the final MTF form in order to use the community wide form. The Clinic uses a group format for patient education that is very effective. Dr. Thompson is anxious to find solutions to the pharmacy problem of patients not being able to fill legitimate prescriptions.

- UCSD PHARMACY

Darlene Fugimoto is concerned that pharmacies are dealing with corresponding responsibility in a reaction rather than in a mindful way. More pharmacists' education is needed. UCSD is putting more assessment tools in EPIC, their electronic records system. She announced that UCSD is starting a new pilot project for an outpatient opioid withdrawal clinic for patients with drug abuse histories who are weaning from pain medication.

### SB 809

SB 809 is proposed legislation to fund and expand the CURES system. Licensed providers and pharmaceutical companies will share the cost for the upgrade and maintenance. The estimated fee for physicians will be approximately \$7 and added to the medical license fees. CMA and CAL/ACEP currently support the bill now that amendments were made to remove a mandate on physicians to use the system. A significant lobbying effort was made by this task force for this important provision. We still wish to bring further amendments that will allow a designee to run a report for the prescriber. The bill is progressing in committees.

Darlene Fugimoto reported that the Board of Pharmacy took a support position as is, with concerns about losing the system altogether if funding is not identified.

## CURES Registration

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**Increase San Diego Enrollment.** Between events at the Medical Society, Community Clinics, USCD, and Scripps, we have registered almost 300 San Diego CURES medical professionals.

In California the percentage of eligible CURES users is under 10 percent. Thus Sacramento CURES staff is very impressed, and want to work out an even easier way to register eligible users in the CURES system.

Please continue to encourage your colleagues to register for CURES. If you have an event with more than 25 people who will enroll in CURES, we can have the Sacramento team come back down to San Diego.

**Deputize San Diego.** Mike Small, CURES director, who attended the meeting, is working with Dr. Lev and Dr. McDonald to empower the County Public Health Department to accept CURES registration packets at any time on behalf of the CURES system. Details to follow as final arrangements are in place.

**SDCMS assistance.** The San Diego County Medical Society has a notary on staff and will provide free notary services to any member who needs to complete the CURES application.

**CURES Technical Difficulties.** There are currently many CURES technical difficulties. If you have a gmail address (any maybe others), the email with your user name and password can end up in your trash, and if you don't access CURES you will be locked out of system. If you attempted to sign up for CURES in the past but never completed your application you will be locked out of system. Please referral such problems to Tina Farales at CURES:

[tina.farales@doj.ca.gov](mailto:tina.farales@doj.ca.gov). Once you are up and running with the system, it works well. It has been timed at 35 seconds to get a report including logging on.

### EDUCATIONAL INFORMATION

- Program put on by the Medical and Pharmacy Boards for Appropriate Prescribing of Controlled Substances.  
[http://www.mbc.ca.gov/pain\\_forum\\_february\\_2013.html](http://www.mbc.ca.gov/pain_forum_february_2013.html)
- Webinars posted by the Integration Institute website. "Prescription Drug Abuse: The San Diego Medical Response"  
[www.sandiegointegration.org](http://www.sandiegointegration.org)  
<http://www.supportprop.org/educational/index.html>
- Physicians for Responsible Opioid Prescribing: Educational Materials  
<http://www.supportprop.org/educational/index.html>

### In the News

#### KPSB STORY

[http://www.kpbs.org/news/2013/apr/12/progress-san-diego-physicians-tackling-prescription/?utm\\_source=kpbs.org&utm\\_medium=email&utm\\_campaign=user-share](http://www.kpbs.org/news/2013/apr/12/progress-san-diego-physicians-tackling-prescription/?utm_source=kpbs.org&utm_medium=email&utm_campaign=user-share)

San Diego Physician Magazine, April 2013 Issue. Featuring update on Prescription Drug Abuse Medical Task Force and Interview with DEA Agent Tom Lennox.

[http://issuu.com/mamsden/docs/201304sdp\\_final/1](http://issuu.com/mamsden/docs/201304sdp_final/1)

CURES registration at the Medical Society was covered by 3 television news stations

San Diego Drug Take Back Event

<http://www.cbs8.com/story/22146770/san-diego-drug-take-back-day-yields-nearly-10k-pounds-in-prescription-drugs>

### SUGGESTIONS AND QUESTIONS

Please forward this newsletter to your colleagues who may be interested. Feel free to contact us with any suggestions or questions.

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