Prescription Drug Diversion

The Big Picture

The United States is experiencing an epidemic of prescription opioid overdose. According to the Centers for Disease Control (CDC), increased prescribing and sales of opioids—a quadrupling since 1999—helped create and fuel this epidemic.[1] Drug diversion is the diversion of licit drugs for illicit purposes. This document looks at specific factors or problems that contribute to the larger problem of drug diversion.

> **More than 40 Americans die each day from prescription opioid overdoses. We must act now.**
>
> **—Dr. Tom Frieden, CDC Director**

Contributing Factor: Doctor Shopping

Using multiple prescribers and pharmacies to obtain multiple prescriptions of the same drug.

Solutions	Resources & Authorities
Prescription Drug Monitoring Program (PDMP) PDMPs are State databases that require pharmacies to report their Schedule II prescription drug dispensing. Prescribers and pharmacists can access the database to check on a patient's historical use of Schedule II drugs.	Prescription Opioids—An Overview [2] Role of PDMP in Reducing Drug Diversion [3] Medicaid: Additional Reporting [4] CDC Doctor Shopping Laws Summary [5] PDMP Training (Brandeis U.) [6] National Association of Boards of Pharmacy [7] National Alliance for Model State Drug Laws [8]
Lock-In Programs A known or suspected drug diverter or abuser is limited to one provider and one pharmacy for prescription drugs.	Drug Diversion in Medicaid: State Strategies [9] Assessing Lock-In Programs [10] 42 Code of Federal Regulations (CFR) § 431.54(e) Exceptions: Lock-Ins [11]

Contributing Factor: Questionable Prescribing Patterns

Includes writing prescriptions for: quantities or strengths that exceed medical necessity, drugs not indicated for the diagnosis, a high number of brand-name drugs, more patients than can reasonably be seen in a time period, or for pain that can be managed effectively without opioids.

Solutions	Resources & Authorities
Pain Guidelines The CDC recently released a guideline for opioid prescribing.	CDC Opioid Prescribing Guideline [12] Medicaid: Additional Reporting [13]
Monitor Utilization Data Use data tools available from Medicare to check prescribing patterns (Medicare Part D).	Questionable Prescribing Patterns [14] Provider Utilization & Payment Data [15]

Contributing Factor: Prescription Pad Theft and Forgery

Drug-seeking patients may attempt to steal prescription pads or modify existing prescriptions to obtain the drugs they want.

Solutions	Resources & Authorities
Limit Access to Prescription Pads Keep prescription pads and printer paper in secure locations where patients do not have access.	Prescriber Role in Preventing Drug Diversion [16] Understanding and Preventing ID Theft [17]
Tamper-Resistant and Tamper-Evident Pads Prescription pads and printer paper must have certain security features that can detect erasures, modifications, photocopying, or other forms of tampering and make it difficult for patients to modify the drug name, quantity, or number of refills.	Recognizing Suspicious Prescriptions [18] Social Security Act 1903(i)(23) [19]

Contributing Factor: Identity Theft and Misuse

Includes outright theft of medical identifiers, using legitimate sources to obtain and misuse medical identifiers, giving a Medicaid or Medicare number to someone who is not providing services, or sharing a Medicaid or Medicare number with a friend or family member so they can receive services.

Solutions	Resources & Authorities
Prevent Provider Medical ID Theft Provider identifiers include the National Provider Identifier (NPI), Drug Enforcement Administration (DEA) number, State Medicaid and State License numbers, and the provider's Social Security number.	Safeguarding Your Medical ID (toolkit) [20] Safeguarding Your Medical ID (CME/CEU) [21] Understanding and Preventing ID Theft [22] Common Types of Health Care Fraud [23] Preventing Medical ID Theft [24] Centers for Medicare & Medicaid Services (CMS) Response to Medical ID Theft [25]
Prevent Beneficiary ID Theft and Card Sharing Beneficiary identifiers include Medicare and Medicaid card numbers, Social Security numbers, and date of birth. Card sharing means allowing an ineligible person to use an eligible member's identifier to receive services.	Beneficiary Card Sharing Toolkit [26] Health Care Fraud and Program Integrity [27]

Contributing Factor: Drug-Seeking Behaviors

Drug-seeking patients may exhibit certain behaviors or have a standardized set of excuses for why they present prescriptions for higher-than-normal quantities, multiple drugs, or untimely refills.

Solutions	Resources & Authorities
Identify Drug-Seeking Behaviors Providers should learn to recognize the signs and symptoms of patients who may be seeking drugs for illicit purposes.	Rx Physical Exam Requirements [28] Rx Diversion Resource Guide [29] Red Flags of Rx Diversion video [30]

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Resources

1 http://www.cdc.gov/media/releases/2016/p0315-prescribing-opioids-guidelines.html

2 https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/Downloads/drugdiversion-opioids-booklet.pdf

3 https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/Downloads/drugdiversion-drugmonitoring-factsheet.pdf

4 http://www.gao.gov/assets/680/671241.pdf

5 http://www.cdc.gov/phlp/docs/menu-shoppinglaws.pdf

6 http://www.pdmpassist.org/

7 http://www.nabp.net/programs/pmp-interconnect/nabp-pmp-interconnect

8 http://www.namsdl.org/prescription-monitoring-programs.cfm

9 https://www.cms.gov/medicare-medicaid-coordination/fraud-prevention/medicaidintegrityprogram/downloads/drugdiversion.pdf

10 http://www.amcp.org/WorkArea/DownloadAsset.aspx?id=18019

11 http://www.ecfr.gov/cgi-bin/text-idx?SID=bdf39c302ea985d5ea6a36d394aa0d64&mc=true&node=se42.4.431_154&rgn=div8

12 http://www.cdc.gov/mmwr/volumes/65/rr/rr6501e1.htm

13 http://www.gao.gov/assets/680/671241.pdf

14 http://oig.hhs.gov/oei/reports/oei-02-09-00603.pdf

15 https://www.cms.gov/Research-Statistics-Data-and-Systems/Statistics-Trends-and-Reports/Medicare-Provider-Charge-Data/Part-D-Prescriber.html

16 https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/Downloads/drugdiversion-prescribersrole-booklet.pdf

17 https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/Med-ID-Theft-Booklet-ICN908264.pdf

18 https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/Downloads/drugdiversion-drugtrafficking-booklet.pdf

19 https://www.ssa.gov/OP_Home/ssact/title19/1903.htm

20 https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/Provider-Education-Toolkits/safeguard-medid-toolkit.html

21 http://www.oig.hhs.gov/compliance/101/cme.asp

22 https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/Med-ID-Theft-Booklet-ICN908264.pdf

23 https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/Downloads/fwa-factsheet.pdf

24 https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/Provider-Education-Toolkits/Downloads/safeguard-medid-provider-idtheft-booklet.pdf

25 http://oig.hhs.gov/oei/reports/oei-02-10-00040.pdf

26 https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/Beneficiary-Education-Toolkits/beneficiary-toolkit.html

27 https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/Downloads/fwa-overview-booklet.pdf

28 http://www.cdc.gov/phlp/docs/pdpe-requirements.pdf

29 https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/Downloads/drugdiversion-prescriptiondrugdiversion-resourceguide.pdf

30 http://www.awarerx.pharmacy/resources/pharmacists

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