



Prescription Drug Diversion: Use of Legal Drugs for Illegal Purposes

Module 1



Perspective

Type of Visit	Number of ED Visits	Percent
Total Drug-Related ED Visits	4,916,328	100.0%
Drug Misuse or Abuse	2,301,050	46.8%
Pharmaceuticals	1,345,645	27.4%
Illicit Drugs	1,171,024	23.8%
Alcohol	687,574	14.0%

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Objectives

At the conclusion of this presentation, the learner will be able to:

- Differentiate between the various methods of drug diversion
- Recognize the signs and symptoms of drug abuse

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Fraud and Abuse

Fraud

- Intentional deception or misrepresentation

Abuse

- Practices that are inconsistent with sound fiscal, business, or medical practices
- Beneficiary practices that result in unnecessary cost to the Medicaid program

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Common Types of Health Care Fraud and Abuse

- Inappropriate billing
 - Services not rendered
 - Upcoding
 - Duplicate claims
 - Non-covered services
 - Quantity discrepancies
- Submitting false claims
- Card sharing by beneficiaries
- Accepting or giving kickbacks
- Diverting prescription drugs



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What Is Drug Diversion?

Deflection of prescription drugs from medical sources into the illegal market.

May occur at any point in the distribution process:

- Manufacturers
- Wholesale distributors
- Doctors
- Pharmacists
- Nurses
- Other health care personnel
- Ancillary staff
- Burglars
- Patients
- Others

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Drug Abuse in the Media

- Pill mills
 - Prescriber identity theft
 - Celebrity involvement
- Health, social, legal, and financial consequences



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Consequences of Prescription Drug Diversion and Abuse

Health consequences

- Medical problems
 - 1.3 million emergency department (ED) visits
- Disability
- Death

Social consequences



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Consequences of Prescription Drug Diversion and Abuse

Legal consequences

- Criminal record
- Employment

Financial consequences

- Individual
- Employer
- Taxpayer



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Fraud and Abuse

Q:

Inappropriate billing may include all of the following except:

A:

- ☐ Services not rendered
- ☐ Quantity discrepancies
- ☐ Properly coded diagnoses
- ☐ Duplicate claims

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Methods of Drug Diversion

- Doctor shopping
- Theft
- Forgery
- Illicit prescribing
- Illegal sales
- Counterfeiting



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Methods of Drug Diversion

Doctor shopping

- Seek services from multiple health care professionals to obtain a prescription

Theft

- Commit robbery
- Steal
- Report on Form-106
<https://www.deadiversion.usdoj.gov/webforms/dtlLogin.jsp>

Forgery

- Write a new prescription
- Alter an existing prescription
- Pose as a provider and call in a prescription

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Methods of Drug Diversion

Illicit prescribing

Illegal sales

- Drug dealers
- Friends or relatives
- Illegal Internet pharmacies

Counterfeiting



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Why Are Prescription Drugs Diverted or Abused?

- For dependence and addiction
- To self-medicate
- To alleviate withdrawal symptoms
- For monetary gain



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Reasons for Abuse or Diversion

Dependence: Occurs because of normal adaptations to chronic exposure to a drug, which leads to tolerance and the potential for withdrawal when the drug is abruptly discontinued or the dosage is reduced

Addiction: Compulsive drug use despite harmful consequences—characterized by an inability to stop using a drug, and failure to meet work, social, or family obligations; usually includes dependence (tolerance and withdrawal)

- Legitimate use
- Recreation

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Reasons for Abuse or Diversion

Self-medicating: Administering medication to treat one's own ailments without the knowledge, direction or supervision of a medical professional.

Examples include:

- Increasing the dosage
- Treating an undiagnosed problem
- Feigning nonexistent disorders
- Underlying mental issues



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Reasons for Abuse or Diversion

Alleviation of withdrawal symptoms.

Withdrawal symptoms occur with:

- Abrupt discontinuation
- Rapid dose reduction



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Reasons for Abuse or Diversion

Monetary gain

- Pill mills
- Black market



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What Prescription Drugs Are Being Diverted?



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Prescription Drugs of Abuse

Opioids

- Relieve pain and dull the senses
- Increase dopamine levels in the brain
- Are administered by unintended routes



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Prescription Drugs of Abuse

CNS depressants

- Enhance gamma-aminobutyric acid (GABA) activity
- Produce a calming effect
- Are used in combination with other drugs or alcohol



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Prescription Drugs of Abuse

Stimulants

- Enhance the effect of norepinephrine and dopamine
- Produce euphoria
- Used for cognitive improvement



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Prescription Drugs of Abuse

Anabolic steroids

- Improve athletic performance
- Increase the risk of infection



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Over-the-Counter Drugs of Abuse

Dextromethorphan (DXM)

- Easily obtained
- Causes euphoria and dissociative experiences



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Addiction or Dependence?

Read the following phrases. Decide if the phrase is an indication of dependence or addiction.

- Compulsive drug use despite harmful consequences
 - Addiction
- Normal adaptation to chronic exposure to a drug
 - Dependence
- Failure to meet work, family, or social obligations
 - Addiction

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Persons Responsible for Diverting Prescription Drugs

- Individuals
- Health care professionals
- Manufacturers and wholesale distributors
- Illegal Internet pharmacies



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Persons Responsible for Diverting Prescription Drugs

Individuals

- Doctor shopping
- Theft
- Forgery
- Illegal sales



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Persons Responsible for Diverting Prescription Drugs

Health care professionals

- Theft
- Forgery
- Illicit prescribing
- Illegal sales
- Counterfeiting



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Persons Responsible for Diverting Prescription Drugs

Manufacturers and wholesale distributors

- Illegal sales
- Counterfeiting



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Persons Responsible for Diverting Prescription Drugs

Illegal Internet pharmacies

- BeSafeRx campaign
<http://www.fda.gov/besafetx>
- DEA Office of Diversion Control
<https://www.deadiversion.usdoj.gov/webforms/jsp/umpire/umpireForm.jsp>



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Drug Diversion Methods

Review the following case study. Decide if this is an example of forgery, doctor shopping, illicit prescribing, illegal purchasing, counterfeiting, or theft.



A male patient at a rehabilitation facility has progressed quite well over the last month, but has started to complain of severe pain with physical therapy (PT) in the last week. The patient's chart states he has an order for oxycodone 10 mg 30 minutes prior to PT. The medication administration record (MAR) shows he has been receiving the medication. Upon review, you notice that the dates of the PT notes when the patient has complained of severe pain are the same days a new nurse has been administering the medication. When you examine the patient, he asks why he is not getting the pain medicine anymore before PT.

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Drug Diversion Methods

Read the following case study. Decide if this is an example of forgery, doctor shopping, illicit prescribing, illegal purchasing, counterfeiting, or theft.



A pharmaceutical sales representative notices a discrepancy between the amount of the cancer drug a local pharmacist bought and the amount he sold. He mentions the matter to a nurse in the office of an oncologist who contracts with the pharmacy for oncology medications. The oncologist has the medication supplied by the pharmacist tested. The results show the prescriptions were diluted.

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Detection of Prescription Drug Diversion and Abuse

- Recognize drug-seeking behavior
- Recognize drug abuse
- Recognize red flags



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Detection Recognize Drug-Seeking Behavior

"Classic" behaviors

- Complain of pain
- Request specific medications
- Request IV administration
- Say they ran out of medication
- Report medication was stolen

Other typical behaviors

- Request early refills
- Demand to be seen immediately
- Threaten staff
- Refuse tests
- Volunteer to pay cash

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Detection Recognize Drug-Seeking Behavior

Health care professionals

- Volunteering to administer medications
- Forgetting to have waste witnessed
- Overexaggerating patient symptoms
- Spending excess time by the drug supply
- Requesting prescriptions from co-workers
- Keeping blank prescription pads close
- Prescribing for family members

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Detection Recognize Drug Abuse

Signs and symptoms of drug abuse

- Behavior
- Appearance

Symptoms of withdrawal

- Neurologic
- Cardiac
- Gastrointestinal



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Detection Recognize “Red Flags”

- Observe behavior and physical appearance on exam
- Review patient records
- Verify information



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Detection

Review the following bullets. Decide if each one is an example of physical signs, drug abuse behavior, or clinical withdrawal symptoms.

- Complaining of pain greater than 10 out of 10 and requesting larger quantities of controlled substances
- Red or glassy eyes and slowed reflexes
- Delirium tremens and hyperhidrosis

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Questions



Please direct questions or requests to: MedicaidProviderEducation@cms.hhs.gov
To see the electronic version of this presentation and the other products included in the “Prescription Drug Diversion” Toolkit, visit the Medicaid Program Integrity Education page at <https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/edmic-landing.html> on the CMS website.

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