

# ***Alliance of States with Prescription Monitoring Programs***

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## **The Goals of Prescription Monitoring**

### *Introduction*

All states have laws and regulations that govern the distribution and handling of controlled substances and other pharmaceuticals as well as the provision of medical and pharmaceutical care. States' laws generally must balance the promotion of the safe use of controlled substances for the provision of medical care and services with the need to impede illegal and harmful activities involving these pharmaceuticals. Prescription monitoring programs are tools used by states to assist in the achievement of these goals.

Diversion<sup>1</sup> of controlled substances and other pharmaceuticals is generally recognized as a serious problem throughout the United States. While only a small percentage of patients and health care providers have been involved in pharmaceutical diversion, the number of cases and their consequences are significant. Drug diversion by patients, or individuals posing as patients, may result in harm, including serious injury or death, to themselves and their associates. Diversion by health care providers may, particularly when professionals are themselves impaired, result in the provision of substandard care to patients and thereby compromise their health and safety.

States have found that prescription monitoring programs are among the most effective tools available to identify and prevent drug diversion at the prescriber, pharmacy and patient levels. Prescription monitoring programs collect prescription data from pharmacies either in paper or electronic format. Data is reviewed and analyzed for educational, public health and investigative purposes. States with prescription monitoring programs recognize the legitimate need for pharmaceuticals in medical care; therefore, programs are not intended to interfere, nor have they been shown to have interfered, with the legitimate prescribing, dispensing or procuring of pharmaceuticals.

The goals of prescription monitoring programs managed by the states are manifold and depend upon the missions of the state agencies that operate the programs and use the program data. Such agencies may include regulatory boards, health departments or law enforcement agencies. While each state has a different set of goals for its prescription monitoring program, those goals are generally based on a number of possible major objectives of prescription monitoring, namely:

- Education and information
- Public health initiatives
- Early intervention and prevention
- Investigations and enforcement
- Protection of confidentiality

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<sup>1</sup> Pharmaceutical (or drug) diversion is the channeling of licit controlled substances or other pharmaceuticals for illegal purposes or abuse. Diversion may include, but is not limited to, theft burglary and robbery; tampering; stealing, forging and counterfeiting prescriptions; doctor shopping; indiscriminate prescribing; and illegal sales of prescriptions and pharmaceuticals.

### *Education and Information*

A major goal of many prescription monitoring programs is the provision of information and feedback to prescribers, pharmacists and the public. Programs can provide prescribers with information on their own prescribing records and have assisted prescribers in some states in identifying individuals who forge or illicitly obtain prescriptions. Information on and analysis of prescribing trends in the states can also be generated and disseminated. Such analysis may, for example, provide comparative information between geographic regions, medical specialties or drug classes.

Prescription monitoring programs have also raised the general awareness of the problem of diversion and the illicit use of pharmaceuticals. Increased awareness of health care providers and the public can lead to reductions in drug diversion and abuse.

### *Public Health Initiatives*

States use the information obtained from the review and analysis of prescription monitoring data in the development of public health initiatives. Information on trends in prescribing and dispensing can be used to assist in addressing problems such as under- and over-utilization and inappropriate prescribing. Monitoring information has been used by states in the initiation of education and prevention programs, formulation of laws and regulations, development of controlled substances policies and establishment of practice and treatment guidelines.

One advantage of prescription monitoring is that initiatives can be targeted to selected subsets of prescribers or pharmacists. For example, one state health department was able to use their prescription records database to notify prescribers of glutethimide of the adverse effects of long-term use of the drug and the importance of seeking alternatives.

### *Early Intervention and Prevention*

Another goal of some prescription monitoring programs is early intervention in and prevention of drug diversion. Prescription monitoring programs may provide law enforcement and regulatory agencies with the ability to detect diversion earlier than would be possible with other forms of information gathering. For example, they may be particularly useful in providing early detection of sophisticated scams, doctor shopping and forgeries.

One objective of many of the states that have implemented prescription monitoring programs is the deterrence of drug diversion. An expectation is that knowledge of the existence of a more efficient mechanism for tracking illicit activities will deter individuals from conducting such activities. For example, in some of the states that have implemented serialized or tamper-evident prescription forms as part of their programs, cases of forged and counterfeit prescriptions for monitored drugs have been significantly reduced or eliminated altogether.

### *Investigations and Enforcement*

Most prescription monitoring programs have, as a primary part of their mission, the enforcement of laws and regulations governing licit controlled substances. These programs aid law enforcement and regulatory agencies in responding to illegal prescribing, dispensing and procuring of controlled substances by providing a tool to assist in identifying and investigating potentially illegal activities.

Prescription monitoring is an enhancement to existing methods of information gathering and not a new source of investigative information. Prior to monitoring, and in states without such programs, law enforcement and regulatory agencies have had access to medical records maintained by licensees as well as prescription records in pharmacies. With prescription monitoring, prescription dispensing records are accessible at a single site, often in a computerized database, thus reducing the need to travel to collect information from multiple practice sites. Prescription monitoring programs serve as tools that facilitate the locating of evidence with minimal or no intrusion on prescribers and pharmacies. Therefore, the main impact of programs on law enforcement is to provide a mechanism for increased efficiency in conducting investigations.

Many investigations of alleged diversion are initiated in response to complaints registered with law enforcement and regulatory agencies. Such agencies generally have mandates to respond to complaints, yet they often do not have the resources to thoroughly investigate all complaints. Prescription monitoring programs can assist agencies in meeting their mandates by increasing the efficiency with which information is gathered and analyzed in complaint investigations.

Investigations of alleged drug diversion, including those initiated in response to registered complaints, necessarily involve scrutiny of prescriber and pharmacy records. Since investigative scrutiny can be disruptive to individuals who are subsequently found to have no illegal involvement, it is desirable to have mechanisms to reduce such intrusions. Insofar as prescription monitoring may contribute information that affords cause to suspend or terminate an investigation, the programs provide an avenue to reduce the intrusion for individuals under investigation. Prescription monitoring may be particularly helpful in assisting in the identification of complaints that may be inaccurate or unfounded and thereby enable resources to be focused on investigations that are more likely to result in the uncovering and constraint of illegal activities.

### *Protection of Confidentiality*

Of paramount importance to all prescription monitoring programs is the strict protection of confidentiality of data. All states have mechanisms in place, usually required by statute, to restrict access to prescription monitoring data and to protect the privacy of prescribers, pharmacies and patients. Over the decades during which prescription monitoring programs have been operating, there have been no documented or anecdotal cases of breach of confidentiality of data.

## *Conclusion*

The goals of prescription monitoring programs are manifold, spanning education, prevention and law enforcement. An overriding common goal of such programs is to uphold the laws of the states which encompass both the promotion of access to appropriate pharmaceutical care by the states' citizens and the deterrence of pharmaceutical diversion. Therefore, the objectives of prescription monitoring do not include any restrictions on the legitimate prescribing or dispensing of pharmaceuticals. Rather, these programs are aimed at upholding statutory mandates in a manner that is most supportive of and least disruptive to medical and pharmacy practice.