

'Rogue' Internet Pharmacies Fueling Rx Abuse, Panel Told

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A sharp increase in the number of online pharmacies offering highly controlled drugs without requiring a prescription is feeding a similar rise in the abuse of powerful pharmaceuticals in the United States, particularly among teens, witnesses told a Senate panel Wednesday.

At a Senate Judiciary Committee hearing on legislation to crack down on "rogue" Internet pharmacies, lawmakers were presented with data showing that the number of Web sites advertising or selling controlled prescription drugs increased by 70 percent over the past year.

The report, titled "[You've Got Drugs](#)" and produced by the [National Center on Addiction and Substance Abuse at Columbia University](#), said 84 percent of those sites currently do not require a prescription, and more than half of those that did simply asked that a prescription be faxed, potentially allowing customers to forge the document or use it at multiple pharmacies. That report dovetailed with evidence gathered by the [Treatment Research Institute](#); the Philadelphia-based not-for-profit recently conducted 47 searches on Google and found 300 different Web sites offering highly addictive, opiate-related drugs -- such as Oxycontin and Vicodin -- without a prescription.

Thomas McLellan, the institute's chief executive officer, said some sites even offer customers the ability to refill prescriptions by sending them periodic text messages, with the cost of the refills billed to a customer's cellphone as custom ring tones.

"Some of these pharmacies will text message you and say, 'Need a refill?'" McLellan said. "It's almost as if they're trying to make it impossible for mom and dad to check what it is their kids have bought."

Experts on narcotics use say teens are increasingly turning away from illicit drugs toward abusing prescription drugs, in part because they are widely viewed as safer to use and to obtain. According to a February report by the White House [Office on National Drug Control Policy](#), illicit drug use by teens has dropped 23 percent over the past five years, while new abusers of prescription drugs have caught up with new users of marijuana.

"Internet drug trafficking has presented another challenge for law enforcement," said Judiciary Committee Chairman Sen. [Patrick Leahy](#) (D-Vt.). "If drug dealers came into our neighborhoods selling these kinds of drugs, Americans would be up in arms."

The bill under consideration by the Judiciary Committee, the "[Online Pharmacy Consumer Protection Act of 2007](#)," would ban the sale of drugs online without an original written prescription, and would require doctors to meet with patients in person before prescribing medication. It was jointly offered by Sens. [Dianne Feinstein](#) (D-Calif.) and Rep. [Jeff Sessions](#) (R-Ala.).

U.S. regulators may have a hard time tackling the problem, as the majority of online rogue pharmacies are operating beyond the reach of U.S. law enforcement. In its examination of the 300 rogue sites selling powerful painkillers without a prescription,

TRI found that roughly 88 percent of the vendors were operating outside of the United States in countries where it is not illegal to sell prescription drugs to Americans.

TRI's McLellan suggested that Feinstein include in her bill a provision that would force credit card companies to work with banks to cut off merchants who approve transfers to and from known, rogue online pharmacies.

"We think the simplest of all strategies is to simply follow the money," McLellan said. "We've heard nothing but support from the credit card companies, the delivery companies ... the whole supply chain. We think that may be the strongest, if imperfect way to restrict it."

[Philip B. Heymann](#), a professor at Harvard University Law School, said lawmakers should consider creating a private or government-run group responsible for identifying rogue pharmacies. Under current anti-money laundering statutes and so-called "know-your-customer" rules, Heymann said, domestic financial institutions would have no choice but to decline U.S.-based transactions for rogue pharmacies overseas, he said, much in the same way that Visa, MasterCard and other financial firms are currently prohibited from processing payment for online gambling sites.

Feinstein said she would consider both of those suggestions, but appeared far more interested in grilling Joseph T. Rannazzisi, deputy assistant administrator for the [Drug Enforcement Administration](#)'s Office of Diversion Control. In contrast to testimony from four fellow witnesses, Rannazzisi said the DEA believes that a majority of the rogue sites operating today are in fact based in the United States and work in concert with unscrupulous doctors and pharmacies.

Rannazzisi said that in 2006, 34 rogue Internet pharmacies dispensed nearly 100 million dosage units of drugs containing hydrocodone, a powerful painkiller. In contrast, controlled substances such as hydrocodone account for just 11 percent of prescriptions at legitimate "brick and mortar" pharmacies in the U.S., versus 95 percent at rogue online pharmacies.

Feinstein chided Rannazzisi for his agency's failure to provide any feedback or input on the legislation she first introduced in 2004.

"We have heard nothing from [the DEA], no suggestions, nothing," Feinstein said. "This indicates to me this is an agency that isn't taking this very seriously, to be very candid."

Rannazzisi countered that in 2006 alone, the DEA coordinated more than 90 investigations, which resulted in the arrest of 64 individuals and the seizure of 14 million dosage units of controlled substances valued at more than \$30 million.

Industry groups agree that rogue pharmacies should be targeted but are wary of any tough laws that come with unintended consequences. The [National Association of Chain Drugstores](#), for example, said some proposals (not Feinstein's specifically) may "create an unprecedented beachhead for FDA to regulate the practices of medicine and pharmacy, which traditionally have been the authority of the states. Consumer access to prescription medications through legitimate pharmacies could be threatened while illegal Internet entities remain relatively unaffected."