



Health Quality Subcommittee

**Tuesday, September 24, 2013
1:00 PM. - 3:00 PM
306 HOB**

**Will Weatherford
Speaker**

**Kenneth L. "Ken" Roberson
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Health Quality Subcommittee

Start Date and Time: Tuesday, September 24, 2013 01:00 pm

End Date and Time: Tuesday, September 24, 2013 03:00 pm

Location: 306 HOB

Duration: 2.00 hrs

Overview and Status Update of the Prescription Drug Monitoring Program - Rebecca R. Poston, Program Manager

NOTICE FINALIZED on 09/17/2013 09:36 by Iseminger.Bobbye

Overview and Status Update of the PDMP



Health Quality Subcommittee
September 24, 2013
Rebecca Poston, BPharm, MHL

Objectives

- Provide reporting requirements, registration, statistics, and query process overview
- Review security and privacy measures
- Discuss enhanced privacy



Dispenser Reporting Requirements



- Controlled substances must be reported by a pharmacy or dispensing practitioner within 7 days of dispensing
- Mandatory reporting began September 1, 2011
- Dispensers retroactively reported from December 1, 2010

Dispensing Statistics



- 85 million dispensing records
- 7,005 dispensers
- 2.77 million records reported monthly

Health Care Practitioner Statistics



- 60,117 in-state and 142,284 out-of-state prescribers issued one or more controlled substance prescriptions
- 11,188 prescribers queried 2.6 million
- 11,497 pharmacists queried 3.2 million

Health Care Practitioner Registration & Use

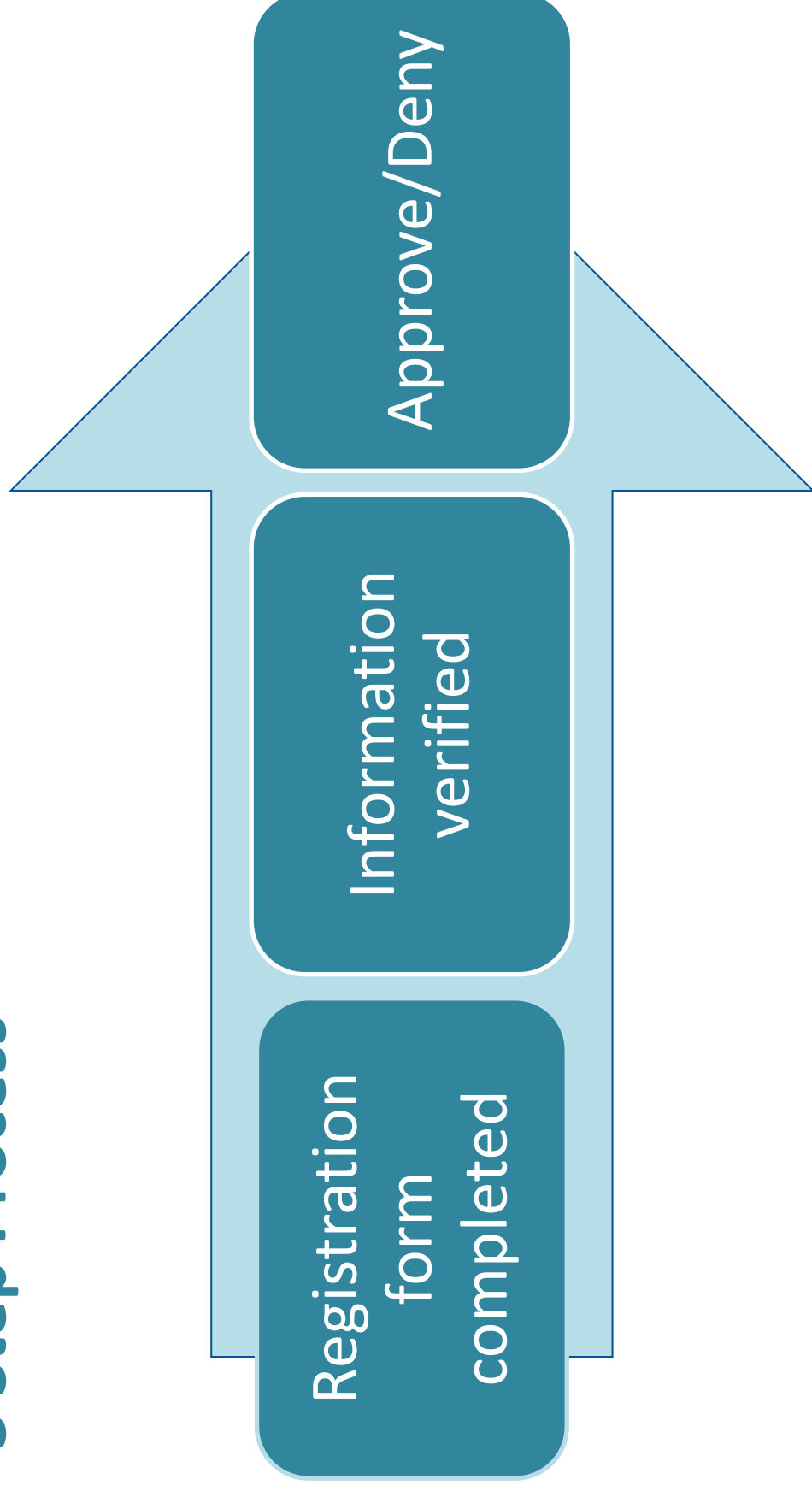


License Type	# Registered Users (As of 8 /31/13)	# Registered Users that have Queried	% Registered Users that have Queried	Total Licensed (Source: MQA 2011-2012 Annual Report)	% of Licensed Practitioners Registered
Health Care Practitioners					
Prescribers					
Advanced Registered Nurse Practitioners	1,015	687	67.7 %	16,973	6.0 %
Dentists	540	285	52.9 %	12,323	4.4 %
Medical Doctors	7,181	4,901	68.8 %	64,285	11.2 %
Osteopathic Physicians	1,445	1,084	75.0 %	6,465	22.3 %
Physician Assistants	920	704	76.5 %	5,963	15.4 %
Podiatric Physicians	87	43	49.4 %	1,766	4.9 %
Sub Total Prescribers	11,188	7,704	68.9 %	107,775	10.4 %
Pharmacists	11,497	10,048	87.4 %	27,330	42.1 %
TOTAL					
	22,685	17,752	78.3 %	135,105	16.8 %

Database Registration for Health Care Practitioners



3 Step Process



Law Enforcement Statistics



- Since November 14, 2011, PDMP staff approved:
 - 234 agency administrators
 - 870 law enforcement authorized users
 - 32,000 law enforcement requests

Law Enforcement Statistics

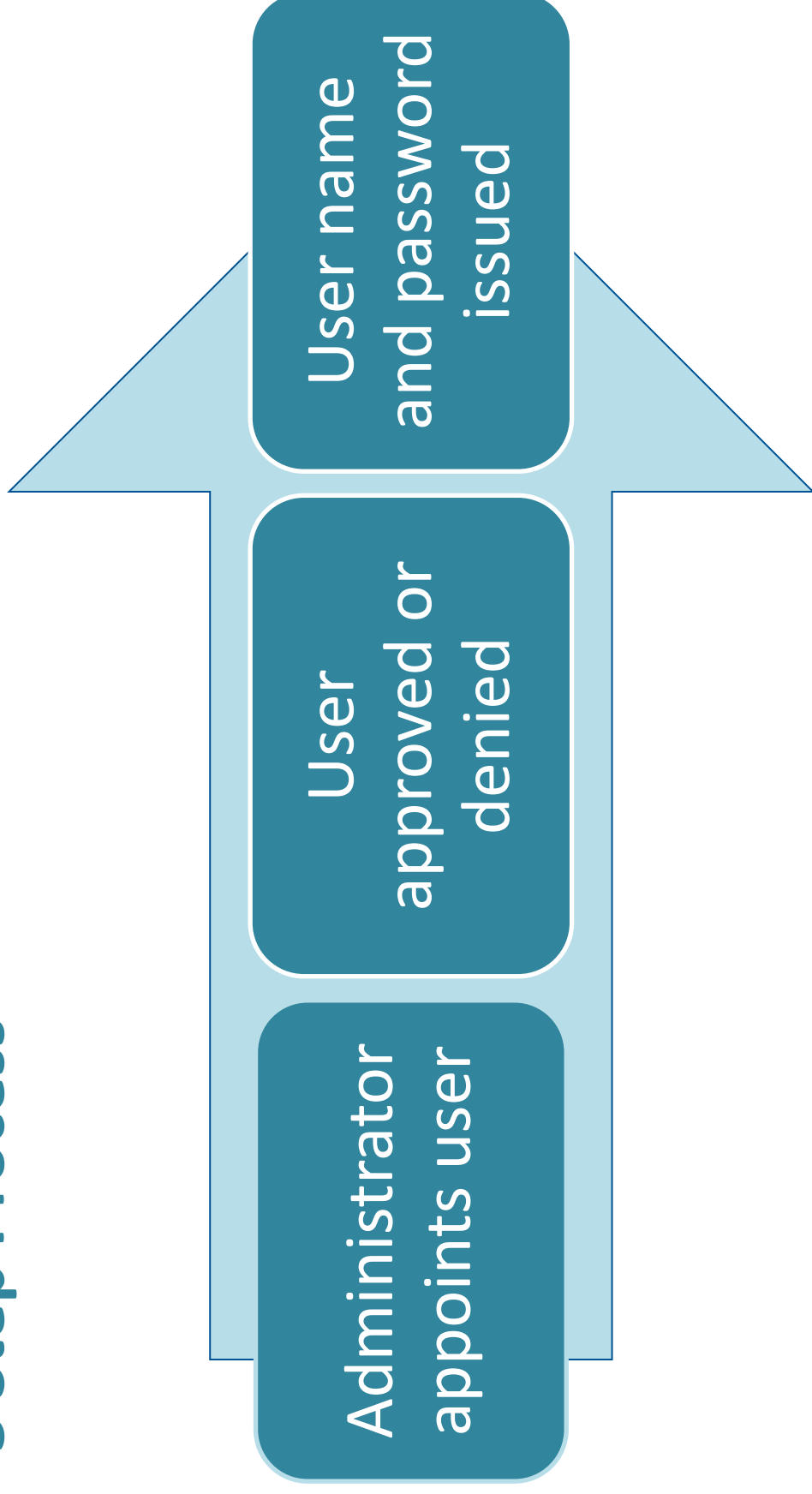


- 17,024 requests by 765 authorized users at 105 agencies
 - 5,331 cases
 - 11,683 duplicates
 - 2,061 no results
 - 148 denied
 - 48% cases still active

Database Registration for Investigative Agencies



3 Step Process



Recipient Request by Practitioner



- Required fields: name, date of birth
- Optional fields: sounds like, alias, county
- Select report format

Recipient Request by Law Enforcement



- Active investigation certification
- Required fields: agency case number, subject name, date of birth, address, time frame
- Select report format

Prescriber Request by Law Enforcement



- Active investigation certification
- Required fields: case number, prescriber DEA number and/or prescriber last name, timeframe
- Select report format

Dispenser Request by Law Enforcement



- Active investigation certification
- Required fields: case number, pharmacy DEA number and/or pharmacy name, timeframe
- Select report format

Public Record Exemption



- Authorizes the release of confidential and exempt information held by department under certain conditions.
- Authorizes the disclosure of confidential exempt information received from the PDMP to a criminal justice agency, as part of an active investigation.
- Creates a penalty for sharing confidential protected health information.

Security of Information



- Background screening completed
- Three-step security approach
- All user activity digitally recorded and archived

Security of Information



- All users attest to reason for request
- Search fields include last name, first name, date of birth, and address
- Law enforcement search fields include the purpose for search and a case number

Allegation of Disclosure of Confidential Information



- Active criminal investigation by DEA
- Reports requested and approved by PDMP
- Law Enforcement worked with local physicians to uncover prescription fraud ring
- 7 arrests; State Attorney charged 6 individuals

Allegation of Disclosure of Confidential Information



- Discs containing PDMP information were produced in discovery by State Attorney's Office
- Discs marked confidential
- Defense attorney shared confidential disc with a colleague not associated with criminal case

Allegation of Disclosure of Confidential Information



- Suit filed against State Attorney
- Disc with patient records under seal and plaintiff ordered to relinquish
- Hearing on 9/4/13 on State Attorney's Motion to Dismiss
- DOH not a party

Rule 64K-1.003 through 1.004 Workshops



- Initial workshop on July 8, 2013
- Second workshop on August 27, 2013
- Next steps:
 - Publish the language
 - Implement enhancements to strengthen the privacy of information

Process Enhancements

- Limit report format to PDF
- Eliminate the “Sounds Like” search
- Label all query results “Confidential”



Process Enhancements

- Expand responsibilities of Agency Administrator
- Users complete HIPAA training
- Users complete log and affidavit
- Program staff conduct routine audits



Presentation Summary



- Reviewed reporting requirements, registration, statistics, and query process
- Reviewed security and privacy measures
- Discussed enhanced privacy

Contact Information



Rebecca Poston, Program Manager

(850) 245-4444 x 3700

Rebecca_Poston@doh.state.fl.us

Program website:

www.e-forcse.com

www.hidinc.com/flpdmp

