

CIINCINNATI POLICE
PHARMACEUTICAL DIVERSION
SQUAD



HEALTH CARE PROFESSIONAL
INVESTIGATIONS

CINCINNATI POLICE PHARMACEUTICAL DIVERSION SQUAD



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DRUG INVESTIGATIVE EXPERIENCE



- Investigator with Regulatory Enforcement Unit since 2005
- Cincinnati Police Division – 21 years
- FBI Drug Taskforce for 5 years
- Street Drug Investigator for 10 years

CINCINNATI POLICE PHARMACEUTICAL DIVERSION SQUAD

- Investigate illegal diversion of pharmaceutical drugs
- Investigate health care fraud
- 1998 investigated nearly 500 cases
- Over 250 felony drug arrests

SCOPE OF THE PROBLEM



- Almost 30% of the overall drug problem in America
- #1 drugs of abuse over last 30 years
- Since 2007, more Ohioans died from unintentional drug overdose than vehicle accidents or suicide.

SCOPE OF THE PROBLEM



- Most likely drug to be abused in the workplace
- Obtained through insurance
- "Only prescription drugs"

SCOPE OF THE PROBLEM

2008 SAMSHA SURVEY

- 15.2 million people abused prescription drugs
- 3.6 million people abused cocaine, heroin, and "crack" cocaine combined

SCOPE OF THE PROBLEM

2008 SAMSHA SURVEY

- 7 million people used psychotherapeutic drugs last year for non-medical purposes
- 2.6 million abusers were between the ages of 12 - 17

WHAT'S THE BIG DEAL?

*THEY'RE JUST PRESCRIPTION
DRUGS!*

- Prescription drugs are implicated in 40% of all drug related deaths
 - Elvis Presley
 - Sonny Bono
 - Heath Ledger
 - Marilyn Monroe
 - Michael Jackson

VICTIMLESS CRIME?

- Andrew Cunanan - pain medication
- Nevada Casino Incident - Dexedrine
- 20% of DUI arrests involve Rx drugs
- HP Abuse/Patient Care - pain medication

TOP PRESCRIPTION DRUGS OF ABUSE

1. HYDROCODONE (Vicodin, Lortab, Lorcet) \$6- \$8
2. OXYCODONE (Percocet, Percodan, Tylox) \$6 - \$8
3. ACETAMINOPHEN WITH CODEINE
(Tylenol #3, Tylenol #4) \$3 - \$5
4. DIAZEPAM (Valium) \$1 - \$2
5. PROPOXYPHENE (Darvon, Darvocet) \$2 - \$4

TOP PRESCRIPTION DRUGS OF ABUSE

6. CARISOPRODOL (Soma) \$3 - \$4
7. MORPHINE (MS Contin)
100mg - \$60; 60mg - \$45; 30mg - \$30
8. ALPRAZOLAM (Xanax) \$3 - \$4
9. MEPERIDINE (Demerol) N/A (H/P Usage)
10. METHYLPHENIDATE (Ritalin) \$10 - \$15

TOP PRESCRIPTION DRUGS OF ABUSE



11. HYDROMORPHONE (Dilaudid) 4mg - \$60

OTHER SIGNIFICANT PROBLEMS

- Stadol Nasal Spray
- Proventil
- *ULTRAM*
- Adipex
- Phenergan
- Oxycontin



OTHER RX DRUGS OF ABUSE ON THE HORIZON

- Actiq (fentanyl lollipop)
- Kadian (morphine time-release)
- Avinza (morphine time-release)
- Palladone (hydromorphone time-release) *Not currently available

HEALTH PROFESSIONAL INVESTIGATIONS

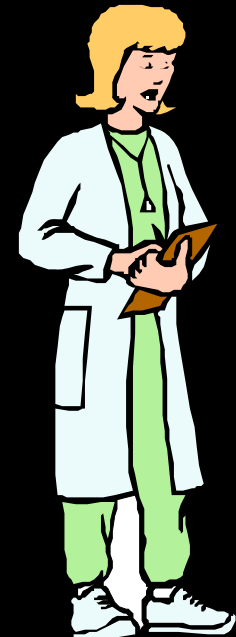
- 30% of PDS arrests are health professionals
 - Average health professional arrest every 7 days
- Almost 70% of those arrests are nurses
 - Average nurse arrest every 10 days

HEALTH PROFESSIONAL INVESTIGATIONS

- Addicted nurses often steal drugs from the patient
 - Health care facility
 - Home Health care
 - Unlimited narcotics
 - Unlimited privacy

HEALTH PROFESSIONAL INVESTIGATIONS

- Demerol drug of choice for nurse
- Falsify drug documents



HEALTH PROFESSIONAL INVESTIGATIONS



- Nurses do not sell their drugs
- Impaired and use while working
- Drug substitution can compromises can be life threatening to patients

INDICATIONS OF A DRUG DIVERTER

- Frequent Job changes
- Deteriorating job performance, decline in quality and quantity of documentation, ineffective use of work time
- Irritable with unpredictable mood swings, defensive when questioned about errors or poor patient care

INDICATIONS OF A DRUG DIVERTER

- Inappropriately handling drugs or opioids
- Confusion, disorientation, or lapse in short-term memory
- Makes unusual comments about usage/disposal of opioids
- Preoccupied with opioids and other medications

INDICATIONS OF A DRUG DIVERTER

- Frequently checks supply of opioids
- Visits the premises when off duty or volunteers to help pass medications
- Observed accessing automated dispensing machines (Pyxis) while off duty
- Asks co-workers for their user ID and pin number or password

INDICATIONS OF A DRUG DIVERTER

- Asks co-worker to sign for wastage without actually witnessing the wastage
- “Disappears” at work, takes break or visits restroom after accessing medications
- Volunteers to work extra shifts or night shifts

INDICATIONS OF A DRUG DIVERTER

- Forged signatures or back dating
- Changes in handwriting from beginning to end of shift
- Altered inventory counts
- Missing, photocopied, or altered sign-out sheets
- Wastage not cosigned or illegible signature

INDICATIONS OF A DRUG DIVERTER

- Signing out more medications than other staff members
- Medications signed out on the Controlled Drug Record but not documented on the Medication Administration Record (MAR)
- Documenting more PRN medications than co-workers on other shifts

INDICATIONS OF A DRUG DIVERTER



- Charting larger doses of medication than ordered
- Frequently accessing the Pyxis or ADS within seconds of a coworker who fails to log off the machine

OHIO LAW

- Theft of any prescription drug is a felony in Ohio



DRUG DOCUMENTS



CONTROL SHEET

- Commonly falsified
- Wastage falsification
- Accessible to law enforcement
- Falsification is a felony

DRUG DOCUMENTS



MAR - MEDICATION ADMINISTRATION RECORD

- Commonly falsified
- Accessible by law enforcement
- Falsification is a felony

DRUG DOCUMENTS

NURSING NOTES

- Can be a good source of information
- Not readily accessible by law enforcement
- Search warrant/subpoena needed
- Part of medical record

ILLEGAL PROCESSING OF DRUG DOCUMENT - FELONY

- Falsify entries in pyxis
- Falsify entries on controlled substance record



ILLEGAL PROCESSING OF DRUG DOCUMENT - FELONY

- Falsify entries on MAR
- Witnessing wastage procedures
- Audit/inventory drugs



RECORDKEEPING



MEDICATION ADMINISTRATION RECORD

- Required drug document on controlled substances
- False entries are a felony
- DEA, Ohio Pharmacy Board and law enforcement can access

THEFT OR LOSS OF CONTROLLED SUBSTANCES



- Report to DEA
- Report to State Authorities – Pharmacy Board
- Report to law enforcement
- Deters internal theft

WHY NURSES ?

DRUG ACCESSIBILITY

- Give almost all medication
- Witness benefit of the drugs
- Constant handling reduces respect of its potency

TYPES OF NURSE DIVERSION



OMISSION

- Sign out on control sheet/not documented on MAR
- Latter stage of addiction

TYPES OF NURSE DIVERSION



BREAKAGE/WASTAGE

- Frequent method of diversion
- Have unsuspecting nurse sign as witness
- May be witnessing the waste of water

FAILURE TO REPORT DRUG DIVERSION



- Facilitates addiction
- Prevents/Delays rehabilitation
- Endangers patients
- Possible criminal offense

FAILURE TO REPORT LOSS OR THEFT



- Civil liability
- Administrative sanctions
- Encourages internal theft
- Criminal liability

HOW TO CONDUCT HEALTH CARE PROFESSIONAL INVESTIGATIONS



- Meet with the administrator of the facility
- Require the facility to notify you anytime there is a discrepancy
- DO NOT allow anyone from the facility to be present during your interview
- Conduct interviews when the suspect is coming off shift

HOW TO CONDUCT HEALTH CARE PROFESSIONAL INVESTIGATIONS



- Conduct non-custodial interviews at the facility
- Obtain consent to search their person, vehicle, locker, etc.
- Obtain urine screen and make sure you test for all substances

HOW TO CONDUCT HEALTH CARE PROFESSIONAL INVESTIGATIONS



- Network with your State Boards (Nursing, Pharmacy, Medical, etc)
- Conduct joint investigations with investigators from State Boards
- Determine if there are rehab programs through the State Boards
- Make sure you report any investigation of health professional to the respective Board

HOW TO CONDUCT HEALTH CARE PROFESSIONAL INVESTIGATIONS



- Build a good working rapport with the Administration, Human Resources
- Consider taking cases directly to the Grand Jury
- If a physical arrest occurs, include generic information to avoid the press picking up on the arrest
- Health facilities do not like bad press

NURSE DIVERSION PREVENTION



- Educate, educate, educate !!
- Random drug screens condition of employment
- Wastage viewed before administration

NURSE DIVERSION PREVENTION



- Insist on accurate shift counts
 - View together
 - Count together
 - Close together
- Insist on accurate documentation

NURSE DIVERSION PREVENTION

- Be aware of personality changes
- Awareness that it *CAN* happen to you



NURSE DIVERSION PREVENTION



- Spot checks by pharmacy
- Communicate with narcotic PRN patients
- Periodic check of drug documents

NURSE DIVERSION PREVENTION



- EDUCATE, EDUCATE, EDUCATE !!
- Random drug screens condition of employment
- Ensure drug screen includes H/P drugs of abuse

PRECAUTIONS

- Don't sign wastage without viewing
 - Falsifying drug documents
 - Facilitate co-worker's addiction
 - Using you to facilitate a crime
 - Take drug documents seriously

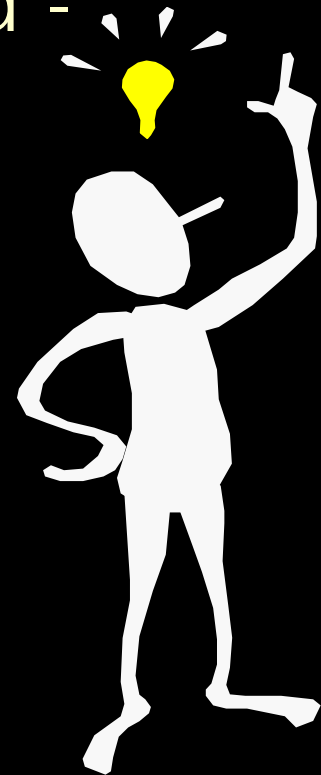
PRECAUTIONS



- Don't be put in middle of investigation
 - Document as you go
 - Do accurate drug counts
 - Investigate all discrepancies
 - Protect your PIN number

PRECAUTIONS

- If diversion of drugs suspected - advise supervisor



HOW TO CONDUCT HEALTH CARE PROFESSIONAL INVESTIGATIONS



QUESTIONS???