

TASK FORCE

PRESCRIPTION DRUG



Mayor Teresa Jacobs Prescription Drug Task Force Recommendations

Presentation Outline

- **Overview of Mayor Jacobs' Prescription Drug Task Force**
- **Prescription Drug Statistics**
- **Healthcare & Pharmacy Recommendations**
- **Enforcement Recommendations**
- **County & City of Orlando Update**
- **Summary**



Mayor Jacobs' Prescription Drug Task Force

- **Mayor Jacobs created the Prescription Drug Task Force in June**
 - **Comprehensive approach to address non-medical use of prescription drugs and the proliferation of pain management clinics through enforcement, healthcare and pharmacies, education, prevention and public policy**
- **Structure of the Task Force**
 - **Chaired by Former Mayor Richard Crotty and co-chaired by Dr. George Ralls, Orange County Medical Director**
 - **18 Member Task Force**
 - **Held Three Task Force Meetings**
 - **Established two subcommittees –Enforcement & Healthcare (met frequently)**

Mayor Jacobs' Prescription Drug Task Force

- **Goals of the Task Force**
 - **Examine the extent of the prescription drug problem**
 - **Review state and local ordinances (over 30 local ordinances)**
 - **Determine the need for substantive regulations for pain management clinics**
 - **Provide comprehensive action plan**



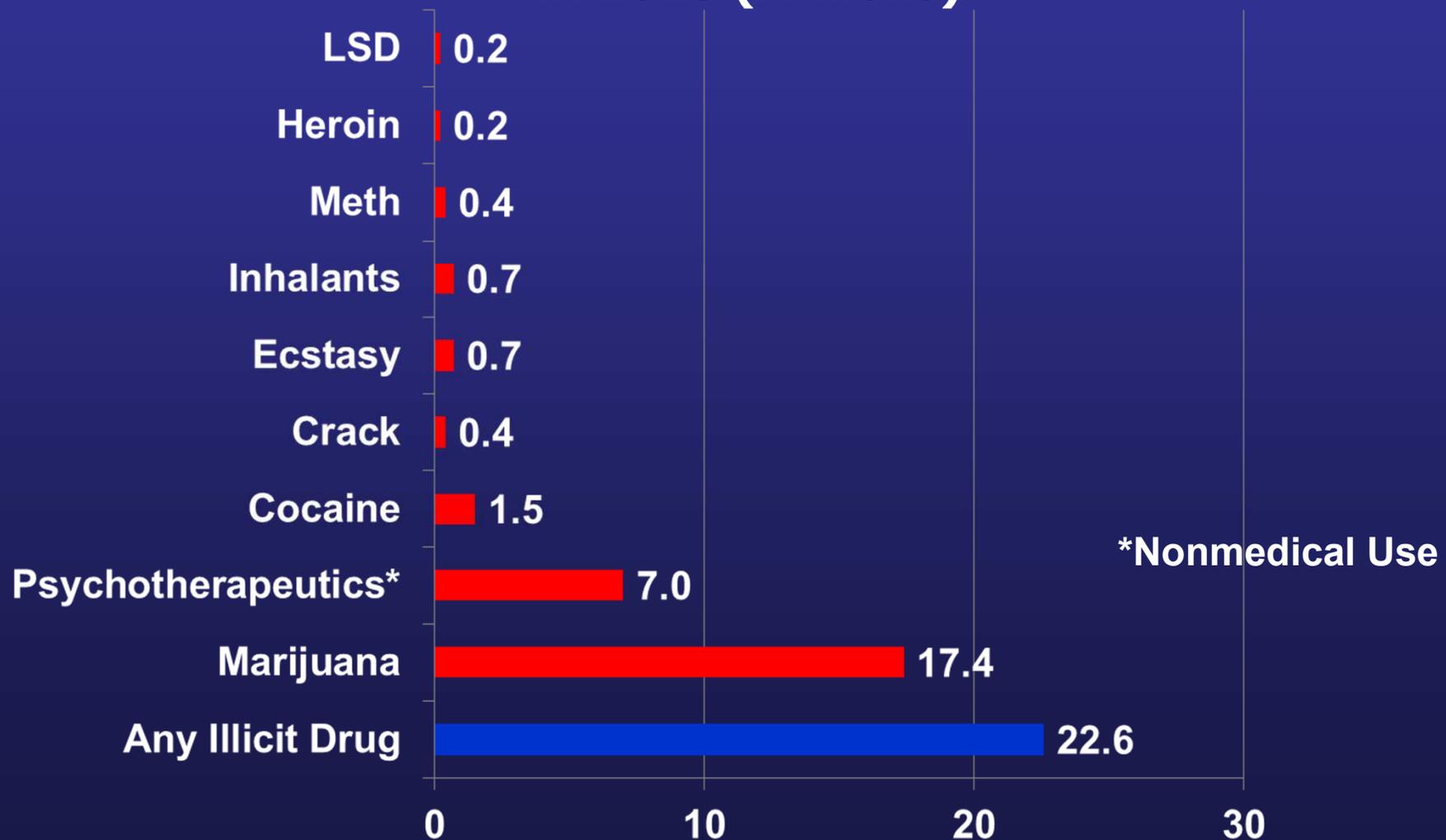
Prescription Drug Statistics

- **2010 - 7M people took prescription drugs non-medically**
- **Commonly Abused Medications:**
 - **Opioids – usually prescribed to treat pain (Oxycontin and Vicodin)**
 - **Depressants – used to treat anxiety and sleep disorders (Xanax and Valium)**
 - **Stimulants – prescribed to treat ADHD (Adderall and Ritalin)**
- **Past year abuse of prescription pain killers now ranks second—only behind marijuana - as the Nation's most prevalent illegal drug problem**



Prescription Drug Statistics

Past Month Users of an Illicit Drug Aged 12 or Older
in 2010 (Millions)



Prescription Drug Statistics

- **Every day 2,500 kids aged 12 to 17 abuse pain relievers for first time**
- **1 in 5 high school students indicate taking prescription drug without doctor's prescription**
- **2008 – 2.1M teens 12 to 17 report abusing prescription drugs**
- **Prescription Drugs are #1 choice for 12 and 13 year olds**



Prescription Drug Statistics

At-Risk: Teens & Young Adults

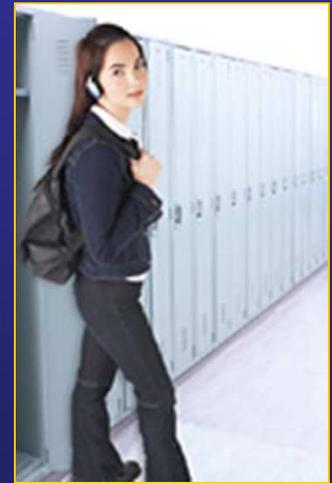
- **Teens have false sense of security about safety of abusing prescription meds**
- **4.5M kids reported abusing prescription drugs**
- **Over half of teens agree prescription drugs are easier to obtain than illegal drugs**
 - ✓ **Primary Sources: Home Medicine Cabinet or Friend's House**

(Source: Substance Abuse Mental Health Administration)

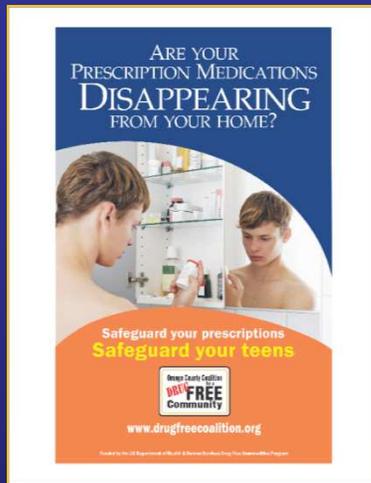
Prescription Drug Statistics

At-Risk: Teens & Young Adults

- 1 in 3 teens report close friend who abuses pain relievers to get high
- 1 in 3 teens surveyed - “nothing wrong” with abusing prescription drugs “every once in a while”
- Young adults misuse prescriptions for getting high, staying awake to study & controlling weight



Prescription Drug Statistics



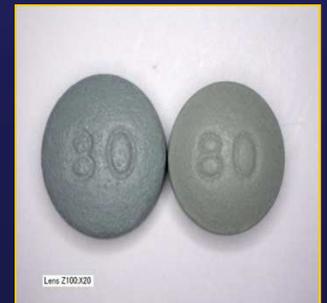
Methods of Diversion

- Friends and Family – **70%** obtain pain relievers for free, bought or taken (12 and older)
- Doctor Shopping – visit several doctors to obtain multiple prescriptions
- Fraudulent Scripts & Theft – prescription pads stolen from offices



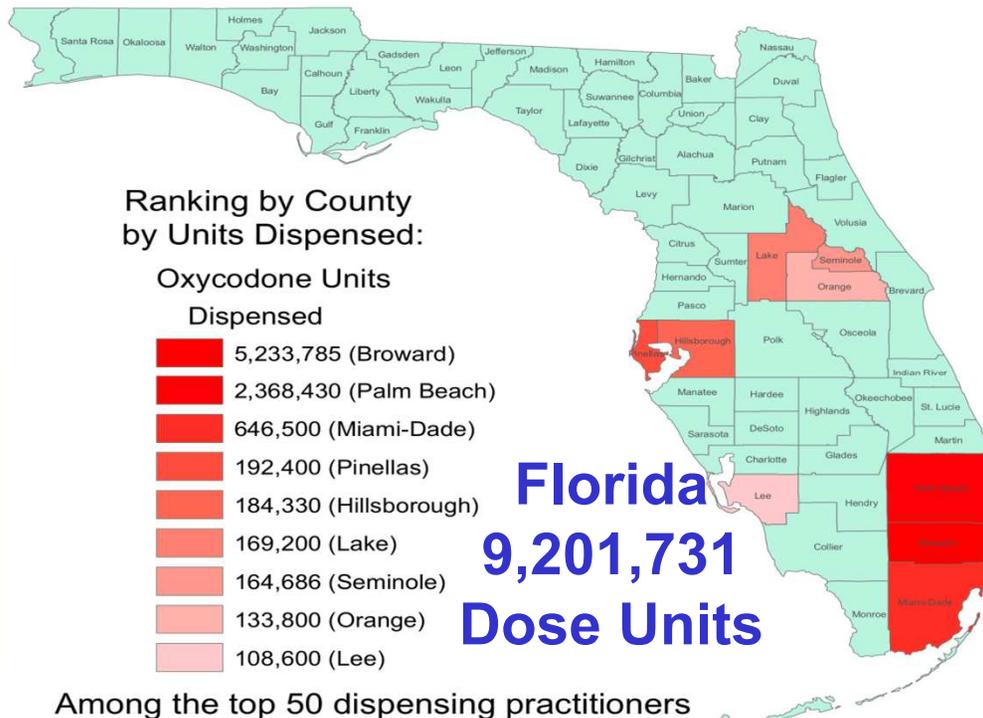
Prescription Drug Statistics

- **Pill Mills – “pseudo pain clinics”** large volume of patients, few questions and large quantities of controlled substance
 - Drug agents estimate pill mills bring in \$25,000 a day
 - 200 known pill mills currently operating in Broward & Palm Beach counties (up from 4 in 2007 to 154)
- **Street Dealers – obtaining prescription drugs through “pill mills”**
 - Pharmacy cost of 30MG Oxy - \$1.42
 - **Street Value – Approximately \$20.00**
 - Out of State value - \$30 - \$80



Prescription Drug Statistics

Top 50 Dispensing Practitioners of Oxycodone in the U.S. (49 in Florida) October 2008 - March 2009



Among the top 50 dispensing practitioners in the U.S., all but 1 are in Florida and are concentrated in 9 counties. Broward holds 50% of the top practitioners and 55.4% of the total units dispensed.



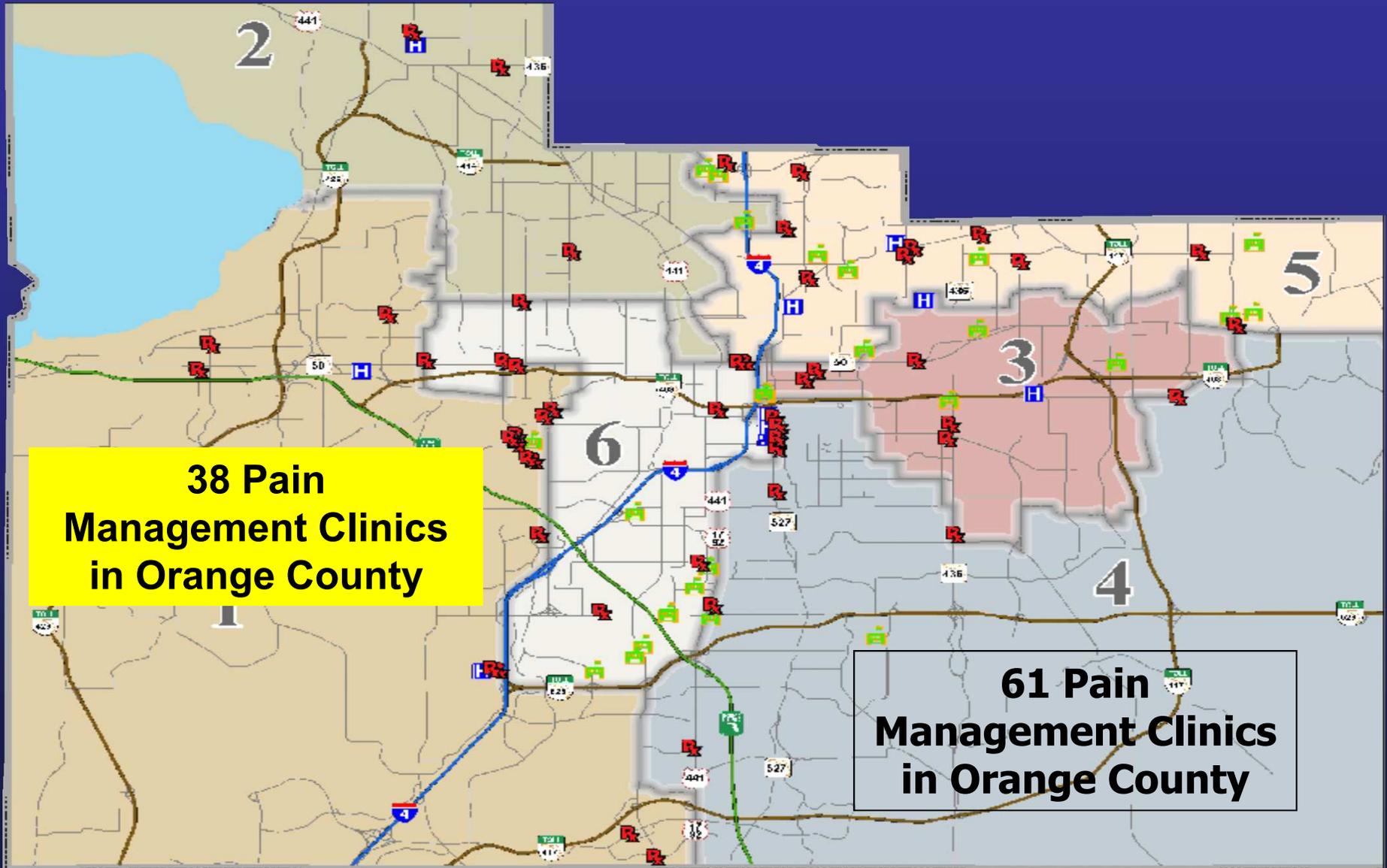
This map was generated for United Way of Broward County Commission on Substance Abuse. Spatial data downloaded from Broward County Property Appraiser's Office August 2008 and US Census Bureau September 2008. Automation of Reports and Consolidated Orders System (ARCOS) data for Oct 2008-Mar 2009 time period, was provided by US Drug Enforcement Administration through the Broward County Sheriff's Office September 2009.

Oxycodone Purchases by State Medical Practitioners



Source: DEA January 2010- June 2010

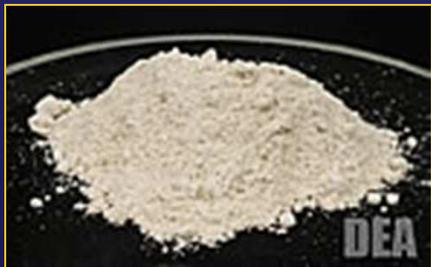
Pain Management Clinics



Addictions Receiving Facility

Statistics: 2008-2009

- Clients presenting for opiate dependence:
 - Heroin- 47%
 - Pharmaceuticals- **50%**
 - Methadone- 3%



Statistics: 2009-2010

- Clients presenting for opiate dependence:
 - Heroin- 32%
 - Pharmaceuticals- **65%**
 - Methadone- 3%



Prescription Drug Statistics

At-Risk: Older Adults (50 and Older)

- 2M older adults used prescriptions drugs non-medically
- 2008 – estimated 118,495 emergency department visits involved illicit drug use by older adults



Emergency Department Visits

- National 2004-2009: Misuse or abuse of prescriptions drugs increased 627,000 to 1.2 million- **98% increase**



Prescription Drug Statistics

Newborns Treated for Drug Withdrawal – increased 42% between 2009-2010 (statewide)

	2005	2006	2007	2008	2009	2010
Florida Hospital	8	8	10	26	25	18
Health Central	0	2	1	4	0	3
Winter Park Memorial	1	4	2	4	5	12
Arnold Palmer Hospital	16	22	21	37	39	71
TOTAL	25	36	34	71	69	104

Orange County has the 3rd highest rate in the State

Prescription Drug Statistics

Florida Prescription-Related Deaths

- **Individuals with one or more prescription drugs in their system**
 - 2009 – 5,275
 - **2010 – 5,647**

Orange County Prescription-Related Deaths

- **Individuals with one or more prescription drugs in their system**
 - 2009 – 100
 - **2010 - 146**

Presentation Outline

- Overview of Mayor Jacobs' Prescription Drug Task Force
- Prescription Drug Statistics
- **Healthcare & Pharmacy Recommendations**
- Enforcement Recommendations
- County Moratorium & Ordinance
- Summary



Healthcare & Pharmacy

Subcommittee Co-Chairs:

Marlin Hutchens, Vice President of Walgreens
Charles Chase, D.O., Anesthesiologists of
Greater Orlando and Winnie Palmer Hospital

Members:

George Ralls, M.D., Task Force Member
Director Phil Williams, Task Force Member
Kevin Sherin, M.D., Task Force Member
Meena Morgan, PharmD, Task Force Member
Carolann Duncan, Task Force Member
Barb Bergin, Task Force Member
Alan Villaverde, Task Force Member
Jennifer Lalani, Pharmacy Supervisor, CVS
Michael Judd, Market Health Wal-Mart
Alan Brown, Community Advocate
Fred Brown, Community Advocate
Dr. Zipper, National Pain Institute
Dr. Stacy Seikel, Medical Dir. CFDFL
Jennifer Lieberman, National Pain Institute



Members:

Deputy Chief Charles Robinson, OPD
Tom Foy, FDLE
Captain Mark Pilkington, OCSO
Det. Lloyd Randolph, OPD
Angie King, Tax Collector's Office
Emily Kilianek, National Pain Inst.
Alexander Jungreis, M.D., National Pain Inst.
Greg Taboh, M.D., National Pain Inst.
Jordan Dershaw, Esq. National Pain Inst.
Dr. Bill Brooks, Advantagecare

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Lois Adams, Freedom Pharmacy
Kurt Fasnacht, Code Enforcement
Michelle Mendez, DO, Florida Osteopathic
Medical Assoc.
Jeff Scott, Florida Medical Association
James Shea, MD, Physical Medicine Pain Center
Zelda Hanna, Spine & Scoliosis Center
Mark Flynn, CVS
Matt Imfeld, M.D., Florida Society of Phys. Med
Rehab
Catherine Jackson, RN, Endo Pharmaceuticals

Staff:

Dana Crosby, OC Attorney's
Office
Carol Burkett, OC Drug Free
Office

Healthcare & Pharmacy Subcommittee

Objectives:

- **Examine current training for prescribing opiate-based narcotics for physicians and dentists as well as training on the identification of prescription drug misuse, abuse and diversion for pharmacists**
- **Information sharing of prescription drug abuse related data - area hospitals, poison control, treatment providers, and the medical examiner's office to determine trends and patterns**
- **Increase awareness on dangers of prescription drug misuse and non-medical use - public health campaigns engaging parents, seniors, hospitals, physicians, pharmacies and schools**

Healthcare & Pharmacy Subcommittee

Physician Training

- **Current training outlined in SB 2272 (PMC)**
- **Training Requirements for Physicians Practicing in PMC:**
 - **Board certification by a specialty board recognized by American Board of Medical Specialties and holds a specialty in pain medicine**
 - **Board certification in pain medicine by ABPM**
 - **Successful completion of pain medicine fellowship accredited by the Accreditation Council for Graduate Medical Education**

Healthcare & Pharmacy Subcommittee

- **Training Requirements for Physicians Practicing in PMC:**
 - Successful completion of residency program in physical medicine, rehab, anesthesiology, neurology, family practice, internal, orthopedics or psychiatry approved by the Accreditation Council for Graduate Medical Education
 - Current staff privileges at a Florida-licensed hospital to practice pain medicine or perform pain medicine procedures
 - Three years of documented full-time practice (average of 20 hours a week per year in pain management)

Healthcare & Pharmacy Subcommittee

Proposed Recommendation:

- Increase healthcare provider education (Misuse and Abuse of Prescription Drugs – Forums & Webinar)
 - Florida Academy of Family Physicians
 - Florida Medical Association
 - General Practitioner Society
 - Emergency Physicians
 - Florida Board of Pharmacy
 - Florida Retail Federation
 - Florida Pharmacy Association
 - UCF College of Medicine
 - Dentists
 - Podiatry
 - Orthopedic



Healthcare & Pharmacy Subcommittee

Proposed Recommendation (cont'd):

- Increase healthcare provider education (Misuse and Abuse of Prescription Drugs – Forums & Webinar)
 - Florida Society of Addiction Medicine
 - Florida Osteopathic Medicine
 - Florida Independent Pharmacy Network
 - Community Health Centers
 - Florida Society of Interventional Pain Medicine
 - Veterans Administration
 - OBGYN/Pediatrics
 - Higher Education Institutions
 - Florida Realtors



Healthcare & Pharmacy Subcommittee

Proposed Recommendations:

- **Increase Prescription Drug Education & Awareness**
 - Drug Retail Industry
 - Independent/Community Pharmacies
 - Develop Prescription Drug Pharmacy Toolkit

- **Increase Prescription Drug Education - Drug Free Workplace**
 - Educate workforce on dangers of prescription drug misuse
 - Legislative change required— opioids as part of drug screening



Healthcare & Pharmacy Subcommittee

Proposed Recommendation:

- Increase training for law enforcement, CIT, prevention and treatment professionals on trends, non-medical use and misuse of prescription drugs
 - Working in partnership with enforcement subcommittee



Healthcare & Pharmacy Subcommittee

Proposed Recommendation:

- **Information Sharing of Prescription Drug Abuse and Misuse Data**
 - **Emergency Room Visits/Admissions**
 - **Medical Examiner's (semi-annual report)**
 - **Urgent Care Centers**
 - **Treatment Centers**
 - **Infant Withdrawal (DCF)**
 - **Law Enforcement**
 - **Poison Control Center**
 - **Florida Youth Substance Abuse Survey (bi-annual report)**
 - **CORE Survey (annual report)**

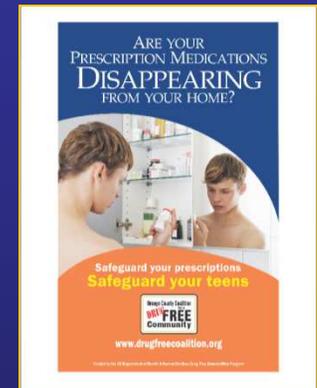


Healthcare & Pharmacy Subcommittee

Proposed Recommendation:

- **Increase Prescription Drug Education & Awareness**
 - **Parents**
 - **Seniors**
 - **Schools (Secondary/Higher Educ.)**
 - **Youth/Young Adults**
 - **Community-Based Agencies**
 - **Providers**
 - **Campus Health Professionals**
 - **Community**

- **Develop an Evidence-Based Prescription Drug Public Awareness Campaign**
 - **National Family Partnership – Lock Your Meds**



Healthcare & Pharmacy Subcommittee

Proposed Recommendation:

- Promote and advertise Prescription Take Back Days in the community to increase proper disposal of unused and unwanted prescription medications



Proposed Recommendation:

- Beta test the Clinical Decision Support System (CDSS) tool for management of opioid therapy on patients with chronic non-cancer pain

Healthcare & Pharmacy Subcommittee

Questions?

Healthcare & Pharmacy Subcommittee

Requested Board Action:

- Board direction regarding Prescription Drug Task Force Healthcare & Pharmacy Subcommittee recommendations

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Enforcement Subcommittee

Subcommittee Co-Chairs:

Sheriff Jerry Demings, Orange County
Sheriff's Office

Joe Cocchiarella, State Attorney's
Office & MBI General Counsel



Members:

Director Phil Williams, MBI
Chief Brett Railey, Winter Park PD
Danny Banks, ASIC FDLE
Steve Collins, Central Florida HIDTA
Deputy Chief Robinson, OPD
Captain Mark Pilkington, OCSO
Captain Art King, Winter Park PD
Tom Foy, FDLE & MBI
Lt. Ted Silberstein, Ocoee PD
Det. Lloyd Randolph, OPD
Lt. Bruce McMullen, OCSO

Members:

Linda Rhinesmith, City of Orlando
Chris Schmidt, OC Planning
Kurt Fasnacht, OC Code Enforcement
Rocco Relvini, OC Zoning
Dr. Kevin Sherin, Orange County
Health Dept. Director
Shelly Simon, DOH Investigator
Roxanne McCarthy, DOH, Medical
Malpractice Investigator

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Catherine Jackson, RN, Endo Pharmaceuticals
Marion Steble, Colonial Medical Practice
Robert Gutman, Colonial Medical Practice

Staff:

Dana Crosby, OC Attorney's Office
Carol Burkett, OC Drug Free Office



Enforcement Subcommittee

Objectives:

- **Collect information on prescription drug related arrests** in the community and **work jointly** with the Healthcare and Pharmacy committee on strategies
- **Further training** of law enforcement agencies on prescription drug investigations and prosecution
- **Review state legislation** and existing **local ordinances** relating to permitting, land use, zoning, and substantive regulations

Enforcement Committee

Objective:

- Review prescription drug-related crimes
 - FDLE arrests
 - MBI Investigations
 - Other local LE agencies
 - ME's related-deaths



Objective:

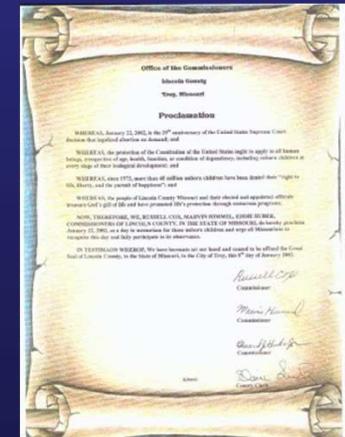
- Further training of law enforcement agencies on prescription drug investigations and prosecutions
 - Central Florida HIDTA held a training for law enforcement (May 25, 2011)
 - Next training – May 2012



Enforcement Subcommittee

Objective:

- Review state laws and local ordinances
 - **Florida HB 7095** (creates PDMP, requires PMC's to register, prohibits dispensing in PMC & more.)
 - **Broward County** (Grand Jury Report) (Zoning regulations and certificate of use)
 - **City and County Ordinances:**
 - Moratoriums
 - Registration
 - Permit or Licensure
 - Redefine PMC Definition
 - Zoning
 - Operational Guidelines
 - Mandatory Check of PDMP for Prescribing
 - Regulations on Pharmacies
 - Moratorium Extension



Enforcement Subcommittee

Review of HB 7095

Enforcement Committee

Review of **HB 7095** (codified at Ch. 2011-141, Laws of Florida)—

- Amended definition of PMC (still ineffective)
- Changed PDMP to require dispensing data be entered in 7 days (down from 15)
 - Still does not require any professional to check PDMP
- Contains a physician dispensing ban
- Requires practitioners who prescribe controlled substances to register with DOH and comply with specific standards of care

Enforcement Committee

HB 7095 (cont'd) –

- **Requires pharmacies that dispense Schedule II and III narcotics to go through rigorous permitting by July 2012**
- **Requires additional reports to the State of distributions of controlled substances**
- **Requires DOH conduct annual Level 2 screening on pharmacy owners/controlling interest (down from once every 2 years)**

Enforcement Committee

HB 7095 (cont'd) –

- **Tracks the wholesale distribution of controlled substances**
- **Forced physicians to return controlled substances to distributors, or turn the drugs over to law enforcement**
- **Imposes stronger administrative and criminal penalties for doctors who overprescribe narcotics**

Enforcement Subcommittee

HB 7095 – Has some criticized “Loopholes”

- Doctors and pharmacists are not required to check PDMP prior to giving the patient the drugs. (This has always been an issue with the PDMP.)
- Board-certified pain specialists, anesthesiologists, neurologists and surgeons need not register with the State. (State officials reply that the exempted doctors have not been the main offenders.)
- No drug testing required of patients although doctors must write a detailed treatment plan and monitor patients for abuse

Source: "Law to Rein in Pill Mills has Loopholes," Orlando Sentinel (May 10, 2011).

Enforcement Subcommittee

**Proposed Recommendations
of
Enforcement Subcommittee**

Enforcement Subcommittee

Proposed Definitions

Enforcement Subcommittee

Proposed Recommendations – Definitions:

- **Dangerous Drugs** – means a controlled substance specifically an opiate analgesic listed in Schedule II and Schedule III
 - Designed to be a very **narrow subset of prescription drugs** – those that have proved to be most dangerous to the community
 - These are not always dangerous, but have been dangerously abused by users and unlawful prescribing and distribution

Enforcement Subcommittee

Proposed Recommendations - Definitions:

Pain Management Clinic (PMC) – means any privately owned clinics, facility or office, whatever its title, “wellness center, “urgent care facility,” or “detox center,” which has at least one of the following characteristics:

1. Where a physician practices who **issues prescriptions for a dangerous drug to more than twenty (20) patients in a single day;**
2. Holds itself out through a **sign or advertising** in any medium as being in business to **prescribe or dispense** pain medication whether for Acute Pain or Chronic Pain;
3. Holds itself out through a **sign or advertising** in any medium as being in business to provide services for the treatment or **management of pain** (and actually **dispenses** dangerous drugs)
4. Meets **state definition** of Pain Management Clinic

Enforcement Subcommittee

Proposed Recommendations – Definitions:

- **State Definition is considered inadequate**
- **PMC's are converting or relinquishing their registration**
 - **Detox**
 - **Wellness Center**
 - **Health Clinic**
- **Reduction in number of PMC's**
 - **Unregistered activity**

Enforcement Subcommittee

Proposed Recommendations – Definitions:

Pain Management Clinic (cont'd) – Exceptions:

- Licensed as a **hospital** or other licensed facility
- Majority of physicians who provide services in the clinic are primarily **surgical services**
- Affiliated with an accredited **medical school**
- **Does not prescribe or dispense** controlled substance for treatment of pain
- Operated for the sole purpose of serving a **governmental entity**

Exceptions not Included:

- Wholly owned or **operated by board certified** anesthesiologists, physiatrists or neurologists
- Wholly owned or operated by one or more board certified medical specialists who have completed a **fellowship in pain medicine**

Enforcement Subcommittee

**Proposed Registration
and
Operational Regulations**

Enforcement Subcommittee

Proposed Recommendations

Registration and Operational Regulations for PMC:

- **Registration** - required for PMCs in Orange County
- **Persons Responsible** - Physician shall be designated as responsible for complying with all requirements relating to registration and operation of PMC
- **Display of Licenses** – valid PMC registration with the state and county shall display in a public area copies of all licenses
- **Controlled Substances** – Prohibits on-site sale and dispensing of controlled substances at PMC (this tracks current state law)

Enforcement Subcommittee

Proposed Recommendations

Registration and Operational Regulations for PMC

(cont'd):

- **Alcoholic Beverages** – Prohibits alcoholic beverages from being consumed or served on the premises (includes parking, sidewalks or right-of-way)
- **Adequate Inside Waiting Area Required** – PMC shall not provide or allow waiting area outside; all business conducted inside the building with adequate indoor waiting areas
- **Operating Hours** – PMC may operate only Monday-Friday, during the hours 7am – 7pm

Enforcement Subcommittee

Proposed Recommendations

Registration and Operational Regulations for PMC

(cont'd):

- **Monthly Business Records** – PMC shall provide sworn monthly summary to include:
 - Total **number of prescriptions** written for Dangerous Drugs
 - Total **number of persons** seen by PMC
 - **State of residence** for each person prescribed or dispensed Dangerous Drugs
 - **Log of all attempts** to access and review the PDMP

Enforcement Subcommittee

Proposed Recommendations

Registration and Operational Regulations for PMC (cont'd):

- **Personnel Records** – PMC shall maintain personnel records for all owners, operators, employees, volunteers onsite; information includes:
 - Name and title
 - Current home address, phone number and date of birth
 - State or federal issued driver's license
 - Copy of current driver's license or government issued photo identification
 - List of all criminal convictions for all persons hired
 - Send **monthly list** of #1, #2, and #3

Enforcement Subcommittee

**Proposed Zoning
for
New Pain Management Clinics**

Enforcement Subcommittee

Proposed Recommendations

Requirements for **New Pain Management Clinics**:

- **Zoning and Locations** – any new PMC shall only be allowed in the **I-4 Industrial Zone** and shall be prohibited as a home occupation
 - Building and use permits required
- **Separation Distances** – a new PMC shall **not co-locate** on the same property as a pre-existing pharmacy
 - New PMC shall **not operate within 1,000 feet** of any pre-existing pharmacy, school, daycare center or home
 - Applicant **may request a variance** from the requirements

Enforcement Subcommittee

Proposed Recommendations

Requirements for **New Pain Management Clinics**

(cont'd):

- **Parking** – any parking demand created by PMC shall not exceed the parking spaces allocated on site as per county parking regulations
 - Traffic impact analysis must be approved by the County staff
 - PMC shall ensure that vehicles do not **cue** in a public right-of-way

Enforcement Subcommittee

Other Proposed Requirements

Enforcement Subcommittee

Proposed Recommendations

Other Requirements:

- **Landlord Responsibility** – landlord, leasing agent or owner of property where PMC operates should exercise reasonable care to ensure that the PMC or Pharmacy is not operating in violation of Orange County Code, or other Florida laws
- **Certification Affidavit by Applicants for Related Uses**
Any application for Business Tax Receipt in identified categories (such as a doctors office) shall have an executed affidavit certifying registration as a PMC, or that the new use will not be a PMC
 - County Zoning Division will review the proposed use

Enforcement Subcommittee

Proposed Pharmacy Regulations

Enforcement Subcommittee

Proposed Recommendations

Regulation of Pharmacies:

- **Identification Requirement** – prior to filling or dispensing any prescription for a dangerous drug a pharmacist or pharmacist's agent shall require and record government issued identification
 - Exception: when Verification of insurance or health plan coverage through state-licensed insurance company has been done
- **Verification of Prescription** – if the pharmacist doubts the validity of the prescription, the pharmacist or agent must personally contact the prescribing physician to verify the prescription

Enforcement Subcommittee

Proposed Recommendations

Regulation of Pharmacies:

- **Records** – pharmacy will keep record of all prescriptions filled for no less than **two (2) years** and records of dangerous drugs will be provided to law enforcement or code enforcement within seventy-two (72) hours of the request
- **Pharmacist Compensation** –unlawful to pay any pharmacist a bonus, incentive compensation or reward solely for filling a prescription for **specific** dangerous drug
- **Separation Distances** – new pharmacy **shall not co-locate** on the same property as a preexisting PMC
 - Applicant for a new pharmacy **may request a variance** from the requirements

Enforcement Subcommittee

**Proposed
Prescription Drug Monitoring
Program (PDMP)
Requirement**

Enforcement Subcommittee

Proposed Recommendations

Prescription Drug Monitoring Program (PDMP):

- **Requirement of Prescribing Physician or Agent to check PDMP**
 - Within 24 hours prior to prescribing dangerous drugs, the prescribing physician or agent shall **access and review** the patient's information in **the PDMP**
- **Requirement of Pharmacist or Agent to check PDMP**
 - Prior to dispensing dangerous drugs **the PDMP** shall be checked
 - Exception: Verification of insurance or health plan coverage or through state-licensed insurance company has been done

Enforcement Subcommittee

Proposed Recommendations

Prescription Drug Monitoring Program (cont'd):

- **If PDMP is Not Available**
 - **Compliance is not required if PDMP is not available and three good-faith but unsuccessful attempts have been made**
 - **A log of dates and times of attempts must be kept**

Enforcement Subcommittee

Proposed Enforcement

Enforcement Subcommittee

Proposed Recommendations - Enforcement

Criminal: Violations can be punished as a county ordinance violation, prosecuted in County Court as a misdemeanor

Maximum \$500 fine, and 60 days in jail

Civil Actions: Enforcement may be brought by the County

Enforcement Subcommittee

**Objections Heard by
Committee**

Enforcement Subcommittee

Objections Considered

- **Most objections were addressed with revisions and exceptions**
- **Certain objections, not consistent with task force goals, were discussed . . . but, not incorporated**
- **Do nothing, rely on recent revisions to state law**
- **Extend moratorium for another time period to see if state laws solve the problem**

Enforcement Subcommittee

Objections Considered

- Exclude certain medical specialties from the PMC definition and, therefore, from the registration, zoning, and regulations in the ordinance
- Do not use the name “dangerous drugs” to describe what is to be regulated – as the opiate analgesics are not always dangerous when used properly
 - Addressed in the proposed “Findings of Fact.”
- Do not require local doctors to check the PDMP before prescribing

Enforcement Subcommittee

Objections Considered

- Only require local doctors to check the PDMP once a year, or only for new patients
- Exempt community or compounding pharmacies from the prohibition on co-location with a PMC
- Exempt surgical centers that dispense also from the prohibition on co-location with a PMC
- Do not require local pharmacies to check the identification and the PDMP before dispensing dangerous drugs (However, the included exception for insured patients satisfied most pharmacists on this issue.)

Enforcement Subcommittee

Questions?

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County Moratorium & Ordinance

- **December 15, 2010 – BCC passed the Moratorium and Ordinance “Chad Phillips Act” passed on pain management clinics**
- **December 6, 2011 - Continued moratorium on issuance of business tax receipts in unincorporated Orange County for new PMC’s for an additional 180 days**
- **Moratorium will expire on June 12, 2012**

City of Orlando Update

- **Feb. 7, 2011 – City passed moratorium on PMCs and established a Prescription Drug Task Force**
- **Nov. 15, 2011 – City heard recommendations of Task Force**
- **Dec. 12, 2011 – City extended its PMC moratorium for 90 days (until Mar. 31, 2012)**
- **Dec. 20, 2011 – City MPB reviewed land development and zoning recommendations of the Task Force**

Orlando's Task Force Recommendations

- Provide a local definition for PMC
- Prohibit PMCs from dispensing drugs
- PMCs register and report certain business records and information relating to the owners, operators, managers, and employees to Chief Admin Officer

Prescription Drug Monitoring Program (PDMP)

- Require physicians and pharmacists check the PDMP before prescribing or dispensing certain controlled substances (opiate analgesics)

Orlando's Task Force Recommendations

Zoning

- **Restrict PMC to General Industrial zoning district**
- **Require separation distances - from other PMCs, pharmacies, and certain sensitive land uses, such residential uses and schools**
- **Require PMCs to provide adequate indoor waiting area, parking and comply with CPTED principles**
- **Require PMCs to provide adequate indoor waiting area, parking and comply with CPTED principles**
- **Limit hours of operation for PMCs**

Presentation Outline

- Overview of Mayor Jacobs' Prescription Drug Task Force
- Prescription Drug Statistics
- Healthcare & Pharmacy Recommendations
- Enforcement Recommendations
- County Moratorium & Ordinance
- **Summary**



Summary

Requested Action:

- Board direction regarding recommendations of Prescription Drug Task Force Enforcement Subcommittee

TASK FORCE

PRESCRIPTION DRUG



Mayor Teresa Jacobs Prescription Drug Task Force Recommendations