



Pathology Biology Section – 2007

G103 Abuse of Prescription Narcotics: A Look Beyond Prescription Monitoring Programs

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After attending this presentation, attendees will have a broader understanding of the widespread problem of prescription narcotic abuse. Additionally, the attendee will understand the liability of physicians, pharmacists and pharmaceutical companies with regard to the dispensing of schedule II narcotics. Finally, the attendee will be introduced to an alternative means to prescription monitoring programs for dealing with narcotic abuse.

This presentation will impact the forensic community and/or humanity by informing the forensic community of the ongoing problem of schedule II narcotic abuse in this country while offering an alternative to currently utilized prescription monitoring programs used in some states. This issue affects physicians, attorneys, law enforcement, and the community as a whole.

Prescription narcotics enable individuals to undergo surgery and relieve pain for millions of Americans who suffer from legitimate chronic pain. While millions of people suffer legitimately from pain, many others obtain prescription narcotics for illicit purposes. This non-medical use of prescription medications is a widespread problem and a serious public health concern. In order to combat the illegal use of prescription narcotics, many states have established prescription monitoring programs (PMPs). These programs collect data on the dispensing of certain narcotics from physicians and pharmacies and disseminate it to regulatory and law enforcement agencies. While these state run PMPs are an asset to the investigation of illegal narcotic use, various professional and special interest groups voice concerns about the application of prescription monitoring programs.

This presentation will offer an alternative to the prescription monitoring program after a discussion of the factors involved in dispensing prescription narcotic medications. An overview of narcotics and their potential use and abuse will be addressed, as well as sources of illicit prescription narcotics for abuse. The physician duty of care owed to patients being treated for pain will be discussed. Included in this section will be an overview of the widespread problem of the under-treatment of pain in the United States, as well as the serious consequences of prescription drug abuse in this country.

Deaths due to the use/abuse of prescription narcotics account for an alarming number of deaths in many areas of the country as evidenced by the autopsy results from Jefferson Parish, LA where in 2005, 22% of autopsy cases were due to the acute effects of drugs - many involving Schedule II narcotics often in combination and usually accidental. Additional data on these cases will be presented. A third component of this presentation will assess the duty owed to patients by pharmaceutical companies who manufacture prescription medications. This section will address the liability of drug manufacturers for failure to warn, as well as liability for negligent marketing. The duty of care owed by pharmacists to patients will also be discussed including the scope of the pharmacist's duty, in addition to recent developments in the approach to pharmacist liability.

An overview of current prescription monitoring programs will be provided with particular attention to issues of privacy and confidentiality of medical information. This section will also encompass the successes and limitations of these programs and federal initiatives regarding prescription monitoring programs. Finally, improvements to the current system of state prescription monitoring programs will be suggested including a proposed alternative method of addressing prescription drug abuse in the United States.

Narcotic, Prescription Monitoring Programs, Abuse