

Prescription Drug Abuse and Control

Compiled by Calli Neumann, January 2014

www.legis.wisconsin.gov/lrb/pubs/tapthepower.htm

According to the White House Office of National Drug Control Policy, the misuse and abuse of prescription drugs is the nation's fastest growing drug problem. Legislation to curtail the nonmedical use of these drugs – opioid painkillers, in particular – has been enacted at both the state and federal levels. This bibliography is an overview of policies meant to reduce the abuse and diversion of prescription medications. Policies may entail abuse-deterrent pills, labeling changes, prescriber education, disposal programs, prescription monitoring, or the regulation of pain clinics.

- Barnes, Michael C, and Gretchen Arndt. "The Best of Both Worlds: Applying Federal Commerce and State Police Powers to Reduce Prescription Drug Abuse." *Journal of Health Care Law and Policy* 16, no. 2 (2013): 271-307. <http://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=1306&context=jhclp>.
- Clemmitt, Marcia. "Medication Abuse: Is Tighter Regulation of Prescription Drugs Needed?" *CQ Researcher* 19, no. 35 (October 9, 2009): 838-859. (614.252/C762n)
- DeGolian, Crady. "Prescription Drug Abuse and the Need for Multi-State Cooperation." *Capitol Research*. Lexington, KY: Council of State Governments, February 2012. (614.25/C83b) http://knowledgecenter.csg.org/kc/system/files/cr_pdmp.pdf.
- Deyo, Richard A., et al. "Measures Such as Interstate Cooperation Would Improve the Efficacy of Programs to Track Controlled Drug Prescriptions." *Health Affairs* 32, no. 3 (March 2013): 603-613. (614.23/P94) <http://content.healthaffairs.org/content/32/3/603.full.pdf>.
- Executive Office of the President of the United States. "Epidemic: Responding to America's Prescription Drug Abuse Crisis." Washington, DC: Executive Office of the President of the United States, 2011. http://www.whitehouse.gov/sites/default/files/ondcp/policy-and-research/rx_abuse_plan.pdf.
- "This Prescription Drug Abuse Prevention Plan expands upon the Administration's *National Drug Control Strategy* and includes action in four major areas to reduce prescription drug abuse: education, monitoring, proper disposal, and enforcement."
- Finklea, Kristin M., Erin Bagalman, and Lisa N. Sacco. *Prescription Drug Monitoring Programs*. Washington DC: Library of Congress, Congressional Research Service, 2013. <http://www.fas.org/spp/crs/misc/R42593.pdf>.
- Garcia, Andrea M. "State Laws Regulating Prescribing of Controlled Substances: Balancing the Public Health Problems of Chronic Pain and Prescription Painkiller Abuse and Overdose." *Journal of Law, Medicine & Ethics* 41 (Spring 2013 supplement): 42-45. Available full text through www.badgerlink.net.
- Grooms, Ron. "Indiana Taking Steps to Stem 'Epidemic' of Prescription Drug Abuse." *Stateline Midwest* 22, no. 11 (November 2013): 9. <http://www.csgmidwest.org/publications/documents/sengrooms.pdf>.
- Includes a state policy to crack down on pain clinics – or "pill mills" – and a new awareness campaign.
- Hanson, Karmen. "A Pill Problem." *State Legislatures* 36, no. 3 (March 2010): 22-25. (328.11/N214) <http://www.ncsl.org/Portals/1/Documents/magazine/articles/2010/SL0210-Pill.pdf>.
- Jena, Anupam B., and Dana P. Goldman. "Growing Internet Use May Help Explain the Rise in Prescription Drug Abuse in the United States." *Health Affairs* 30, no. 6 (June 2011): 1192-1199. (614.23/P94) <http://content.healthaffairs.org/content/30/6/1192.full.pdf>.
- Katel, Peter. "Regulators Seek to Curb Use of Addictive Painkillers." *CQ Researcher* 23, no. 36 (October 11, 2013): 872-873. (614.252/C762n)
- Among other newly introduced prescription regulations, there is a proposal to reclassify hydrocodone as a Schedule II drug, in the same class as oxycodone. A related bill, the Safe Prescribing Act of 2013, has been introduced in Congress.
- Kelly, Ann V. "Interstate Information Sharing: Prescription Drug Monitoring Programs." *Capitol Research*. Lexington, KY: Council of State Governments, April 2010. (614.25/C83a) http://www.csg.org/policy/documents/CapitolResearch_PDM.pdf.
- Kleiman, Mark A. R., Jonathan P. Caulkins, and Angela Hawken. *Drugs and Drug Policy: What Everyone Needs to Know*. New York: Oxford University Press, 2011. (614.25/K67)
- Kraman, Pilar. "Rx for Prescription Drug Abuse." *State News* 47, no. 5 (May 2004): 13-15. (029/St2b) <http://www.csg.org/knowledgecenter/docs/sn0405RxPrescriptionAbuse.pdf>.
- A brief overview of diversion methods and policy options.
- Levine, David. "Rx for Prescription Drug Abuse." *Governing* 26, no. 2 (November 2012): 18. (321/C761) Also available under a different title at <http://www.governing.com/topics/health-human-services/gov-prescription-drug-abuse-fight-may-get-easier.html>.
- The federal government has launched pilot programs in Indiana and Ohio to improve prescription drug monitoring programs (PDMP) technologies, which have not been as effective as states had hoped. Real-time access would allow doctors to make an informed decision before writing a prescription.
- Manchikanti, Laxmaiah, et al. "Opioid Epidemic in the United States." *Pain Physician* 15, no. 3S (July 2012): ES9-ES38. <http://painphysicianjournal.com/2012/july/2012;15;ES9-ES38.pdf>.

Prescription Drug Abuse and Control

Continued

- Martin, Timothy W. "Bill Aims to Deter Painkiller Abuse." *Wall Street Journal*, July 18, 2012. <http://online.wsj.com/news/articles/SB10000872396390444097904577535361145297688>.
The Stop Tampering of Prescription Pills Act of 2012 would require addictive prescription painkillers to have abuse-detering features, such as tablets that are harder to crush or inject.
- O'Reilly, Kevin B. "States Try More Aggressive Rx Opioid Controls." *American Medical News*, October 17, 2011. <http://www.amednews.com/article/20111017/profession/310179937/2/#minb>.
"The effort to reduce painkiller overdoses and deaths is moving beyond prosecuting so-called 'pill mills' to direct regulation of any physician who prescribes opioids for patients with chronic noncancer pain."
- Program Review and Investigations Committee. "Information Systems Can Help Prevent, But Not Eliminate, Health Care Fraud and Abuse." *Research Report*. Frankfort, KY: Kentucky Legislative Research Commission, 2006. (369.32/K4) http://www.lrc.ky.gov/lrcpubs/RR%20333_forweb.pdf.
- Trescott, Claire E., et al. "Group Health's Initiative to Avert Opioid Misuse and Overdose Among Patients with Chronic Noncancer Pain." *Health Affairs* 30, no. 8 (August 2011): 1420-1424. (614.23/P94) <http://content.healthaffairs.org/content/30/8/1420.full.pdf>.
"In the initiative's first nine months, clinicians developed documented care plans for almost 6,000 patients receiving long-term opioid therapy for chronic pain." (from abstract)
- U.S. Drug Enforcement Administration. "DEA Publishes Proposed Regulations for Disposing of Controlled Substance Prescription Drugs." Washington, DC: U.S. Drug Enforcement Administration, United States Department of Justice, 2012. <http://www.justice.gov/dea/divisions/hq/2012/hq122612.shtml>.
- U.S. Food and Drug Administration. "Goal of Labeling Changes: Better Prescribing, Safer Use of Opioids." *FDA Consumer Health Information*. Silver Spring, MD: U.S. Food and Drug Administration, September 2013. <http://www.fda.gov/downloads/ForConsumers/ConsumerUpdates/UCM367795.pdf>.
"GAO found indications of doctor shopping in the Medicare Part D program for 14 categories of frequently abused prescription drugs." This report details the study's results and the GAO's recommendations.
- Wisconsin State Council on Alcohol and Other Drug Abuse Prevention Committee, Controlled Substances Workgroup. "Reducing Wisconsin's Prescription Drug Abuse: A Call to Action." Madison, WI: Wisconsin State Council on Alcohol and Other Drug Abuse, 2012. <http://scaoda.state.wi.us/docs/prevandspfsig/FINAL01032012CSWReport.pdf>.
- Yeh, Brian T. *Legal Issues Relating to the Disposal of Dispensed Controlled Substances*. Washington, DC: Library of Congress, Congressional Research Service, 2010. <http://www.fas.org/sgp/crs/misc/R40548.pdf>.

Related Web Sites

Centers for Disease Control and Prevention. "Prescription Drug Overdose: State Laws." Accessed December 3, 2013. <http://www.cdc.gov/homeandrecreationalafety/Poisoning/laws/index.html>.

"CDC identified seven state legislative strategies that have potential to impact prescription drug misuse, abuse and overdose." Search by state or by type of law. A table for each type of law matches its possible features with states that have passed a corresponding rule. (Excludes PDMPs)

CQ Roll Call. "State Legislative Tracking." Accessed December 4, 2013. <http://www.cqstatetrack.com/texis/viewrpt/main.html?event=483d3f999e>.

Find up-to-date information about related state legislation under the pharmaceuticals tab.

National Alliance for Model State Drug Laws. "Controlled Substances & Prescription Drugs." Accessed December 11, 2013. <http://www.namsdl.org/controlled-substances-and-prescription-drugs.cfm>.

Documents regarding state policies can be found via the Pain Management Information, Prescription Drugs and Pharmacies, and Prescription Drug Monitoring Programs links.

National Center for Interstate Compacts. "Prescription Monitoring Program Compact." Accessed December 19, 2013. <http://www.csg.org/NCIC/PrescriptionMonitoringProgramCompact.aspx>.

National Conference of State Legislatures. "Prevention of Prescription Drug Overdose and Abuse." Accessed December 3, 2013. <http://www.ncsl.org/research/health/prevention-of-prescription-drug-overdose-and-abuse.aspx>.

Includes a table of state legislation introduced in 2013. The table provides a link to the text of the legislation and notes its status.

U.S. Food and Drug Administration.

- "Misuse of Prescription Pain Relievers." Accessed December 12, 2013. <http://www.fda.gov/drugs/resourcesforyou/consumers/buyingusingmedicinesafely/misuseofprescriptionpainrelievers/default.htm>.
- "Opioid Medications." Accessed December 12, 2013. <http://www.fda.gov/Drugs/DrugSafety/InformationbyDrugClass/ucm337066.htm>.

Wisconsin Department of Safety and Professional Services. "Prescription Drug Monitoring Program (PDMP)." Accessed December 3, 2013. <http://dps.wi.gov/pdmp/>.

Wisconsin State Council on Alcohol and Other Drug Abuse (Wisconsin SCAODA). Accessed December 12, 2013. <http://scaoda.state.wi.us/index.htm>.

Legislative Reference Bureau

One East Main Street, Suite 200

Madison, WI 53703

Library Catalog: <http://lrbcat.legis.wisconsin.gov/>

For questions or to suggest a topic for future bibliographies:

LRB.Library@legis.wisconsin.gov

Library Circulation Desk: (608) 266-7040

Research Questions: (608) 266-0341