

Drug Diversion and Abuse: Identifying Legitimate Patients

Cmdr John Burke

Should patients be required to show identification when obtaining controlled substance prescriptions?

John Burke, commander of the Warren County, Ohio, drug task force and retired commander of the Cincinnati Police Pharmaceutical Diversion Squad, is a 40-year veteran of law enforcement. Cmdr Burke also is the current president of the National Association of Drug Diversion Investigators. For information, he can be reached by e-mail at burke@choice.net, via the Web site www.rxdiversion.com, or by phone at 513-336-0070.

In this day and age, we hear about identity theft nearly every day, with horror stories of credit card fraud, bank accounts being compromised, and personal information being used for some criminal enterprise's profits.

The 2008 election just ended, and the potential for voter fraud was a big piece of the news for many of the last weeks of the campaigns. Examples of voter fraud issues included the allegations that some folks may have registered more than once; the ruling in Ohio that you could use a park bench as your residence; and the lack of necessity in some areas to produce any identification and yet still be allowed to exercise one of the most important rights we have in America—voting.



A recent article in the *Sarasota Herald Tribune* highlighted the Sarasota County Commissioners who are attempting to pass legislation that would require patients to show photo identification when filling their controlled substance prescriptions. The commissioners feel that identification is required when buying alcohol or tobacco, so why wouldn't it be required when people are obtaining potent pharmaceuticals that, when abused, can result in overdose death?

The reporter interviewed a pain clinic employee in Venice, Florida, who said he had hired an armed guard for the office. The guard protects any pain medications that may be on the premises and also escorts patients from the office to their vehicles to keep them from being robbed. The clinic also sells safes to the patients to encourage them to lock up their medications at home.

Sarasota County led the state of Florida in fatal overdoses in 2007 with 109. Prescription drugs were the leading cause, according to this article. This prompted one couple, whose son had died of an overdose of pharmaceuticals in 2006, to lobby the commissioners to pass a law requiring valid photo identification at the pharmacy. Sarasota County officials are not sure that they have the power to invoke this legislation, but they are going to try.

Of course, this is not the first cry to require photo identification at the pharmacy counter in order to fill a controlled substance prescription. Pharmacists are already doing this at the counter when pseudoephedrine is needed, because it is mandated by law.



Most statistics indicate that controlled substances make up less than 10% of the overall prescriptions filled at any pharmacy. This proposal would still require pharmacy personnel to check patients' identification, however, to verify that the correct person is picking up the medication.

In order for an identification system to be most effective, however, the employee will need to make some record of the identification (driver's license number, name, and date of birth, etc) so that if fraud has taken place there is a place to start with an investigation. If drug seekers realize that if they show identification but no one makes a record of it, the process will soon be recognized as virtually worthless.

We have discussed this matter in Ohio, and its feasibility at the retail pharmacy is still being examined. Undoubtedly, pharmacy personnel can check identification and even record the information in some form like they do with pseudoephedrine, but I estimate that this volume would be much larger—possibly negatively impacting the busy day at retail establishments.

Unquestionably, requiring the presentation of identification would reduce drug diversion, but I am interested in your thoughts and opinions on this topic. I would appreciate your comments on this issue by sending me an e-mail at burke@naddi.org.