Substance Abuse News

The following is a compendium of news reports over the past month that may be of interest to our AG offices who are dealing with substance abuse issues. Neither the National Association of Attorneys General nor the National Attorneys General Training & Research Institute expresses a view as to the accuracy of news accounts, nor as to the position expounded by the authors of the hyperlinked articles.

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New Developments in Combatting Prescription Drug Abuse
New legislation in California, sponsored by Attorney General Kamala Harris, upgrades and expands CURES, the state’s Controlled Substance Utilization Review and Evaluation System, as well as the state’s prescription drug monitoring program. It requires all prescribers and dispensers to enroll in and use the system.

Ohio has adopted new opioid prescribing guidelines. In part, the guidelines encourage prescribers to look to Ohio’s Automated Rx Reporting System to determine how much pain medicine a patient has already been prescribed. The system calculates all of the patient’s prescriptions into a single MED (Morphine Equivalent Daily Dose) score. The state has also launched a new website which will help the prescribers learn more about the guidelines.

Oregon has developed its Emergency Department Information Exchange (EDIE), which will link participating hospitals through an online system. The system automatically flags patients who reach a certain threshold of ER visits, in an effort to curtail “doctor shopping.” The system also provides a “real time look” at the patient’s entire medical history, in order to prevent overprescribing.

Recent Actions Taken by the FDA
Earlier this month, the FDA announced that it would recommend that the U.S. Department of Health and Human Services (HHS) reclassify hydrocodone combination products from Schedule III to Schedule II. The Agency cited the epidemic abuse and misuse of opioid products as the reason for this recommendation.

The FDA has also approved Zohydro ER, a Schedule II controlled substance which is in the class of extended-release/long-acting opioid analgesics. Zohydro ER is a single-entity hydrocodone product, meaning that the hydrocodone has not been combined with an analgesic such as acetaminophen. It is the first such product to be approved by the FDA. The FDA has approved the drug without any abuse-limiting formula, meaning that users can crush or chew the pill. This has raised concerns about the effect that this drug will have on efforts to curb prescription drug abuse. The FDA has required the drug’s manufacturer to conduct studies of the drug’s potential misuse and abuse when used for longer than twelve weeks.

New Synthetic Drug Laws Aim to Close Loopholes
In recent years, much legislation has been enacted to prohibit the manufacture and sale of synthetic drugs, such as bath salts and synthetic marijuana. However, laws often target specific substances. Minor changes to the chemical makeup of such substances can create new drugs with a similar chemical makeup which are not prohibited by law.

Therefore, lawmakers began to consider alternative methods of legislation. For example, in Pennsylvania, a new law was passed which bans any substances that have the core molecular structures common to bath salts and synthetic...
marijuana, rather than banning particular strands. Additionally, on October 9, 2013, a Maine law which prohibits all versions of synthetic cannabinoids went into effect. This legislation is similar to Kentucky’s 2012 synthetic drug law, and Arizona’s recently enacted synthetic drug law, each of which bans whole classes, rather than compounds, of synthetic drugs. In mid-October, Ohio Attorney General Mike DeWine announced a proposed administrative rule that would allow the Ohio State Board of Pharmacy to classify any future substance containing compounds similar to outlawed synthetic drugs as Schedule One drugs.

Moreover, in Montana, a law that went into effect on October 1, 2013 makes it illegal to manufacture, possess or sell synthetic drugs that mimic the effects of existing legal drugs. A similar law went into effect in Maryland on the same day, which prohibits the sale and possession of substances that are intended to mimic the effects of marijuana.

Highly Destructive Drug May Have Found Its Way to America

Krokodil, a flesh-rotting drug derived from codeine, has long been popular in Eastern Europe and Russia. The drug contains the controlled substance desomorphine and is a cheaper alternative to heroin. Doctors in Illinois, Oklahoma and Arizona have observed patients exhibiting signs of krokodil abuse, such as rotting flesh and abscesses. However, the DEA has been unable to find conclusive proof that the drug is in use in our country.

Other News of Interest

New York recently enacted legislation prohibiting the retail sale of dextromethorphan (DXM), a cough suppressing ingredient, to individuals under 18 years of age. Evidence has shown the abuse of DXM among teenagers has been increasing, partly because there were no restrictions to access. Any retailer who does not request proof of age from customers who appear to be under 25 years old will be subject to a fine of $250.

Researchers at Columbia University’s Mailman School of Public Health analyzed responses to roadside surveys of alcohol and drug use by drivers and fatal crashers. The analysis showed that 32 percent of drivers involved in fatal crashes and 14 percent of “control” drivers in roadside surveys tested positive for at least one drug. The researchers concluded that drug use triples drivers’ risk of a fatal car crash, and the combination of drugs and alcohol multiplies the risk of a fatal crash by 23 times.

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