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.

JULY 2014

New Developments in Combatting Opioid Abuse

On June 25, 2014, Florida Attorney General Pam Bondi provided the United States Senate Health, Education, Labor and Pensions (HELP) Committee’s Prescription Drug Abuse Working Group with a presentation that outlined the issues involved in the fight against drug abuse and the steps taken by the state attorneys general. General Bondi gave this presentation on behalf of NAAG’s Substance Abuse Committee, which General Bondi co-chairs. A copy of the report provided to the group can be accessed at this link.

Representatives from the office of New Jersey Acting Attorney General John Jay Hoffman attended the Partnership for a Drug-Free New Jersey’s Do No Harm Symposium, along with other federal, state and local stakeholders. The attendees discussed ways in which they can work together to end prescription drug abuse within the state. The event was supported by a number of federal and state agencies, including the New Jersey Office of the Attorney General.

New York Attorney General Eric T. Schneiderman announced a 340-count indictment which charged 25 people in connection with a major drug ring. The drug ring operated within New York and allegedly distributed cocaine, heroin and prescription drugs. General Schneiderman has also announced that his office’s Community Overdose Prevention (COP) Program has been expanded to Nassau and Suffolk County police. This program provides officers with access to and training regarding naloxone.

Since Ohio Attorney General Mike DeWine has taken office in 2011 through June 2013, he has helped to convict approximately 15 people of offenses relating to pill mills. During this time period, 53 doctors and 13 pharmacists have lost their licenses in connection with the improper prescribing or dispensing of prescription drugs.

Pennsylvania Attorney General Kathleen G. Kane wrote an op-ed piece in The Patriot News advocating for legislation that would expand her state’s prescription drug monitoring program (PDMP) to allow for the collection of data relating to the prescribing of Schedule III, IV and V drugs. The bill also includes provisions relating to how law enforcement may access the PDMP.
Delaware Secretary of State Jeffrey Bullock has ordered emergency regulations relating to Zohydro. Specifically, before prescribing hydrocodone, doctors must now conduct a thorough medical evaluation and physical examination. This must be made part of the patient’s record.

Massachusetts Governor Deval Patrick released a new plan to address prescription drug abuse within his state. The plan, which allots for $20 million, to be spent on treatment upgrades, coordination of programs with other New England governors, and the expansion of insurance coverage, requires legislative approval.

The governors from five New England states have met to explore ways to collaborate to address prescription drug abuse. Participants included Connecticut Governor Dannel Malloy, Massachusetts Governor Deval Patrick, New Hampshire Governor Maggie Hassan, Rhode Island Governor Lincoln Chafee, and Vermont Governor Peter Shumlin. After the meeting, which was held at Brandeis University, Governor Patrick announced that the school’s Prescription Drug Monitoring Program (PDMP) Center for Excellence would partner with the states to analyze data from each state’s PDMP and recommend best practices.

New York Governor Andrew M. Cuomo signed a package of bills into law on June 24, 2014. This extensive legislation is aimed at reducing heroin and opioid drug abuse. Provisions include new treatment initiatives and public awareness campaigns, “Good Samaritan” protection for those who administer naloxone, and additional law enforcement tools.

Last month, two California district attorneys sued five pharmaceutical manufacturers (Actavis, Endo, Johnson & Johnson, Janssen Pharmaceuticals, Purdue Pharma and Teva), claiming that these companies engaged in false advertising and deceived the public by overstating the benefits and understating the risks of opioid painkillers. The city of Chicago has now sued the same five manufacturers, accusing the companies of civil conspiracy and fraud.

In early June, Joel Shumrak of Boca Raton, Florida was arrested as part of a federal investigation into a $15 million pill mill that Shumrak allegedly operated. Shumrak is accused of conspiring to sell oxycodone to drug dealers and drug addicts. According to this article, Shumrak is known as an “informal spokesman for South Florida’s pain management community.” Authorities seized approximately $4 million worth of assets after Shumrak’s arrest.

The amount of heroin entering Houston, Texas from Mexico has increased by over 500 percent over the past year.

New York Governor Andrew M. Cuomo announced that a hundred State Police investigators have been added to drug units throughout the state, in order to address the growing problem of heroin.

**Updates in the Field of Marijuana Legalization**

Colorado Attorney General John Suthers filed an amicus brief in a case in which a former employee of Dish Network has sued the Network after he was fired for failing a drug test. The former employee
relies on the language of the state’s Lawful Off-Duty Activities Statute, which prevents employers from firing employees from engaging in lawful activity outside of the workplace. General Suthers argued that Colorado citizens do not have a right to use marijuana. Rather, the state’s citizens “...have adopted narrowly drawn constitutional amendments that decriminalize small amounts of marijuana.”

Hershey’s Company is suing a Colorado manufacturer, arguing that the packaging of the marijuana edibles that the manufacturer creates infringe on Hershey’s trademarks.

Washington State will issue its first marijuana retailer licenses on July 7, amid concerns that retailers will run out of marijuana and purchasers will return to the black market.

New York State has legalized medical marijuana, under very specific guidelines. This article provides a helpful overview of the current state of the law in New York.

Nora Volkow, Director of the National Institute on Drug Abuse, was recently interviewed concerning her view on the legalization of marijuana. This article details her response.

**New Efforts in the Fight Against Methamphetamine**

In Michigan, new legislation has been signed into law. The bill creates a methamphetamine data base and requires a prescription for pseudoephedrine.

The New York legislature is also considering a bill relating to methamphetamine abuse. The legislation would limit the amount of precursor drugs that can be sold, require the creation of an electronic stop-sale system and mandate the purchaser to provide identification.

**Hot Topics Relating to Synthetic Cannabinoids**

In mid-June, Florida Governor Rick Scott signed new legislation into law which schedules six additional synthetic substances. Florida Attorney General Pam Bondi was in support of this legislation.

Members of the West Alabama Narcotics Task Force arrested a man accused of trafficking synthetic marijuana. At the time of his arrest, he was in possession of over $10,000 worth of drugs. The drugs had been manufactured using rat poison.

Lubbock County, Texas law enforcement has sent a letter to 53 storeowners, making the owners aware of the list of synthetic drug brands that “commonly contain banned substances in violation of felony state and federal laws.” The letter also explains the potential punishments for violation of the laws that prohibit deceptive advertising practices and the sale of these drugs. Such letters, which put store owners on notice, have proven to be a help to prosecutors who are required to prove the intent of the store owner.

**Other News of Interest**
On June 19, 2014, **Kentucky Attorney General Jack Conway**, together with Kentucky First Lady Jane Beshear, **presented** Chrysalis House, a substance abuse treatment center for pregnant women, with $600,000. These funds were procured from settlements that General Conway obtained from two pharmaceutical companies.

Approximately one month ago, a reporter from the Associated Press interviewed Margaret Hamburg, Commissioner of the Food and Drug Administration. **This article** details Dr. Hamburg’s positions regarding numerous topics relating to public health, including e-cigarettes and Zohydro.

NAAG’s Summer Meeting was held at Mackinac Island, Michigan on June 3-5, 2014. On June 4, 2014, **Kentucky Attorney General** Jack Conway moderated a panel which explored the best practices of and opportunities for collaboration that arise through prescription drug monitoring programs. On June 5, 2014, during a panel entitled **Innovative Outreach Initiatives**, **Arkansas Attorney General Dustin McDaniel**, **Indiana Attorney General Greg Zoeller**, and Mitchel Denham, Assistant Deputy Attorney General for **Kentucky Attorney General Jack Conway** described the groundbreaking programs that their offices developed to make their states safer. You can access each of these panels by clicking on this [link](#).

A recent study, funded by the Public Health Law Research Program of the Robert Wood Johnson Foundation, looked at the relationship between state laws and the consumption of alcohol and drugs on fatal car crashes. The results are troubling, and can be found at this [link](#).

**Francesca Liquori** is the Editor of Substance Abuse News and may be reached at 202-326-6041. Substance Abuse News is a publication of the National Association of Attorneys General. *Any use and/or copies of this newsletter in whole or part must include the customary bibliographic citation. NAAG retains copyright and all other intellectual property rights in the material presented in this publication.*

NAAG, 2030 M Street, NW, Eighth Floor, Washington, DC 20036