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.

JUNE 2014

Drugged Driving

The Michigan House passed legislation that would allow police to conduct Breathalyzer and roadside sobriety tests upon suspicion of drugged driving. The bills also provide for the creation of a state database of drugged drivers. The Michigan Senate will now review the bills.

A new study conducted at the West Virginia University School for Public Health’s Injury Control Research Center indicates that from 1999 to 2010, fatal crashes involving drug use increased 49 percent overall, with the largest increases involving the use of hydrocodone and oxycodone. Moreover, a study conducted by researchers at the University of Colorado School of Medicine found that since the commercialization of medical marijuana in Colorado in 2009, the proportion of drivers involved in fatal crashes that tested positive for marijuana increased dramatically.

A study published in the Journal of the American Medical Association found that college students are more likely to drive while under the influence of marijuana than while under the influence of alcohol. Students were also more likely to ride in a car driven by a marijuana-using driver than by a driver who recently drank alcohol.

Updates in the Field of Marijuana Legalization

A drug lab in Washington has become the first state-certified lab to test marijuana for potency and contaminants. The marijuana will then be labeled with the corresponding potency prior to sale. The lab will also be used as part of a system to track marijuana “from seed to sale.”

The legalization of marijuana in Colorado is having negative effects on Nebraska’s budget, due to the increase in marijuana arrests. A Nebraska sheriff is quoted in this article as stating that one in every five car stops involves a marijuana crime.

Colorado is experiencing an increase in the number of people sickened by the ingestion of edible marijuana. This article details the effect that the legalization of marijuana has had on the state over the
past months. Colorado legislators are also exploring the feasibility of a proposal that would seal convictions for marijuana offenses that predate the current law.

In Washington, the legalization of recreational marijuana has resulted in changes to the monitoring of parolees. Specifically, due to the new law, the Washington Department of Corrections will no longer screen parolees for THC.

The United States House of Representatives has approved a bill which would prevent the federal government from interfering with state medical marijuana laws.

**Synthetic Drug News**

**Colorado Attorney General John Suthers** has filed a lawsuit against a Colorado Springs convenience store after the store allegedly sold “spice,” a type of synthetic marijuana. The suit seeks the maximum applicable civil fines as well as the forfeiture of profits from the sale of the substances. This is the fourth lawsuit brought by Attorney General Suthers against retailers of synthetic drugs.

Virginia Governor Terry McAuliffe signed three bills into law this month. Each of the bills had either been drafted by or introduced at the request of **Virginia Attorney General Mark Herring**. HB1112/SB594 relates specifically to synthetic drugs. In particular, it updates the definition of specific synthetic drugs, based on the evolving chemistry of the drugs, moves the sale or distribution of synthetic drugs from a Class 6 to a Class 5 felony, and provides for a more expedited process for the Virginia Board of Pharmacy to schedule new synthetic drugs.

In Michigan, a civil lawsuit in which a Detroit gas station owner is accused of contributing to the suicide of a young man who ingested synthetic marijuana has now reached the trial stage. The type of synthetic marijuana used in this case was not criminalized in the state until a few months after the young man’s death.

The California Senate passed a bill that criminalizes the possession of certain synthetic drugs, including “spice.” While California already prohibits the sale of these substances, there is currently no law which outlaws possession.

Synthetic marijuana is becoming one of the most frequently seized illicit drugs arriving in United States airports. Almost all of the drugs are shipped from China and arrive in the form of a white powder.

**New Developments in Combatting Prescription Drug Abuse**

A South Florida doctor who was prosecuted by **Florida Attorney General Pam Bondi’s** office has been sentenced to 18 years in prison after being found guilty of 14 crimes, including racketeering and conspiracy to traffic in oxycodone. General Bondi, together with Florida Department of Law Enforcement Commissioner Gerald Bailey, also announced that prescription drug related deaths within the state of Florida are continuing to decline. Last, General Bondi has announced that monies obtained by the state through a settlement agreement with Caremark will be used to fund the state’s prescription drug monitoring program for the next four years.
A new Rhode Island law will mandate prescriber registration with the state’s prescription drug monitoring program. Currently, fewer than 20% of the state’s licensed providers have registered to use the system. Moreover, Brown University’s Office of Continuing Medical Education and the Rhode Island Department of Health recently held a Prescription Diversion Summit for prescribers and pharmacists. Attendees examined how to effectively treat pain while reducing drug diversion.

In New York, a man who allegedly robbed a pharmacy of prescription painkillers was apprehended after law enforcement tracked him using a GPS unit contained inside one of the prescription pill bottles. The New York City Police Department first began planting these devices in pill bottles last year. This is the first known time such a bottle has led to the apprehension of a suspect.

Two California District Attorneys have filed suit against five pharmaceutical companies, arguing that the companies have “manipulated doctors into believing the benefits of narcotic painkillers outweighed the risks,” at the expense of the public’s health and safety. These companies include Johnson & Johnson and Purdue Pharma, among others.

Eight retired National Football League (NFL) players filed a lawsuit against the NFL in late May, arguing that the league illegally supplied them with prescription painkillers during their tenure.

The Pennsylvania Senate passed Senate Bill 1180, which allows prosecutors to access the state’s prescription drug monitoring program upon a showing of reasonable suspicion.

Close to one thousand patients who were treated at two Washington medical centers have been advised to undergo testing for Hepatitis C, after it was discovered that an employee who was allegedly involved in drug diversion may have exposed the patients to the virus.

The National Association of Boards of Pharmacy and the Anti-Diversion Industry Working Group have released an educational video for pharmacists. The video will identify the warning signs of prescription drug abuse and diversion.

This article focuses on the abuse of prescription opioids by senior citizens. According to the Substance Abuse and Mental Health Services Administration (SAMHSA), approximately one in every four adults aged 50 or older uses psychoactive medications.

A longtime employee of the Miami Veterans Affairs hospital has alleged that there has been systematic abuse within the hospital, including drug dealing, the theft of prescription drugs and the physical abuse of patients.

An investigation into a prescription drug ring in Volusia County, Florida has uncovered ties between the drug ring and human trafficking.

A report recently released by the Centers for Disease Control and Prevention (CDC) found that overdose deaths from prescription narcotics tripled from 2009-2010, compared with a decade earlier.
A former FDA staffer recently spoke with a reporter concerning the CDC’s March 2014 press release regarding prescription drug abuse rates. The former staffer believes that the report should have focused more on black market prescription sales.

**The Approval of Zohydro Remains a “Hot Topic”**

Zogenix, the manufacturer of Zohydro, is now taking steps to develop abuse deterrent technology and will provide patients with free locking containers for the pills. This Wall Street Journal article describes the debate among doctors regarding Zohydro, while this New York Magazine article details the events that took place before and during the FDA’s Advisory Board meeting regarding the approval of Zohydro.

**Response to the Heroin Epidemic Intensifies**

May 18-24 is now designated National Prevention Week. During this week, Wisconsin Attorney General J.B. Van Hollen worked together with Wisconsin Department of Corrections Secretary Ed Wall to increase awareness of the effects of opiate abuse through The Fly Effect, a joint public awareness campaign. You can read an article that details the work that these two state officials have done by accessing this link.

A new study published in JAMA Psychiatry shows that the demographics of heroin users are very different than those of users from the 1960s and 1970s. Specifically, today, users tend to be white men and women in their 20s who live in suburban and rural areas. This article also mentions New York Attorney General Eric Schneiderman’s decision to provide the New York City Police Department with funding for naloxone kits that will be carried by close to 20,000 police officers. This funding is part of the Attorney General’s Community Overdose Prevention (COP) Program. A full explanation of the COP Program can be accessed using this link. The need for this funding is made clear in this article, which explains that New York City is a hub for heroin. The drugs are transported from Mexico to New York and then broken down and distributed along the East Coast.

Staten Island, New York is a good example of a suburban area which is experiencing a heroin epidemic. In 2012, thirty-six Staten Islanders died of a heroin epidemic, which is the highest number in almost a decade. From 2011 through 2013, the amount of heroin seized by police officers has skyrocketed by more than 300 percent. This New York Times article explains the causes of the increase of drug use on the Island, the stigma that prevents many from seeking treatment, and the difficulties that law enforcement has encountered.

The California State House has unanimously voted in favor of a bill which will expand access to naloxone in pharmacies. The Senate is now considering the bill.

At least 28 Philadelphia residents have died after ingesting heroin laced with Fentanyl, a powerful opioid painkiller. The deaths took place between March 3 and April 20.
This article details a somewhat controversial approach to heroin addiction, called “harm reduction.” Today’s harm reduction programs are built on the foundation of needle exchange programs, and include providing Naloxone to drug abusers.

**Other News of Interest**

This article provides the reader with an in-depth look into the background of the new head of the White House’s Office of National Drug Control Policy, Michael Botticelli.

Colorado Governor John Hickenlooper recently signed six bills into law. Each of the bills is geared towards protecting the health and safety of children. Most of the bills are directly related to substance abuse issues, including improvements to the state’s prescription drug monitoring program and new requirements for the packaging of marijuana edibles.

The National Association of State Alcohol and Drug Abuse Directors, Inc. (NASADAD) recently released an update to “State Substance Abuse Agencies, Prescription Drugs, and Heroin Abuse: Results from a NASADAD Membership Inquiry.” The findings can be accessed using this link.

A new study published in the Journal of Neuroscience found that when moderate quantities of MDMA are ingested in hot, crowded settings, the results can be deadly. This is because MDMA interferes with the body’s ability to regulate temperature, which can lead to organ failure.

Researchers have found that counseling, together with monthly injections of the anti-abuse drug naltrexone, can help alcoholics reduce their drinking.

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