

NCSL OPIOID POLICY FELLOWS KICKOFF

PRESCRIPTION DRUG MONITORING PROGRAMS (PDMPS) : IMPACT OF STATE POLICY ON USE OF PDMP DATA FOR PATIENT CARE

SHERRY L. GREEN



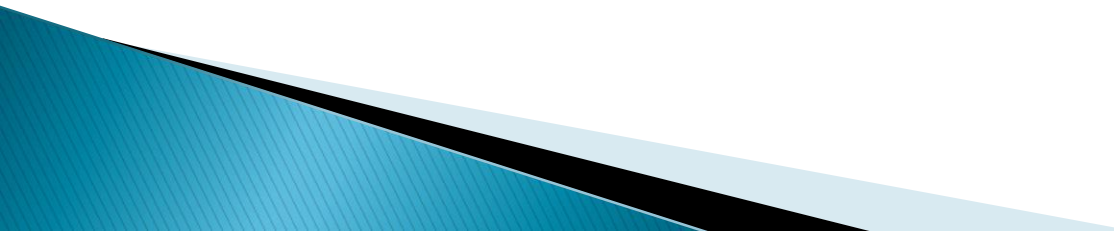
WHAT IS THE ECONOMIC BURDEN OF THE OPIOID CRISIS?*

At least **\$631 billion**

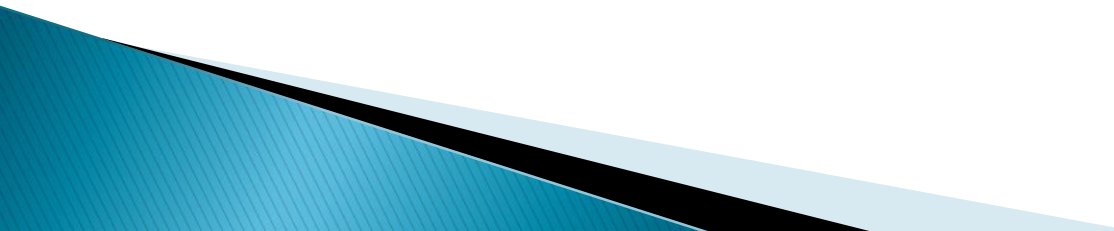
Economic burden of the opioid crisis

2015 - 2018

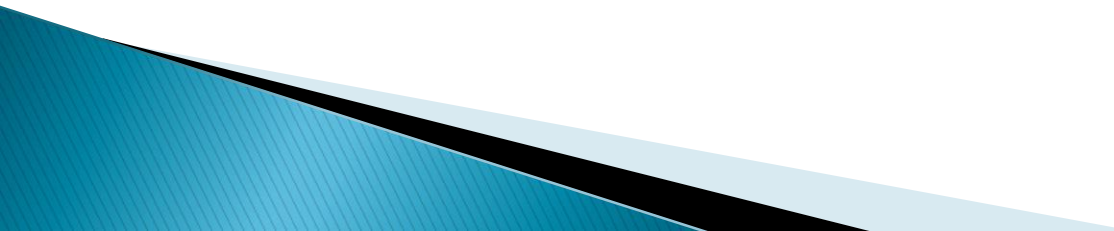
- * Society of Actuaries, *Economic Impact of Non-Medical Opioid Use in the United States*, October 2019.

- Breakdown of economic costs
 - ✓ Nearly 1/3 - excess healthcare spending
 - ✓ 40% - mortality
 - ✓ Roughly 6% - criminal justice
 - ✓ \$39 billion – government funded child and family assistance and education programs
 - ✓ 15% - lost productivity
 - Important tool to curb the crisis and related costs – prescription drug monitoring programs (PDMPs)
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WHAT IS A PDMP?

- An electronic database that collects specific data about substances dispensed in a state (“state” includes D.C.; St. Louis County, MO; Guam and Puerto Rico)
 - 53 PDMPs in total
 - Discloses a patient’s PDMP data to healthcare professionals and others authorized under state law to use the data
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WHAT IS THE PURPOSE OF A PDMP?

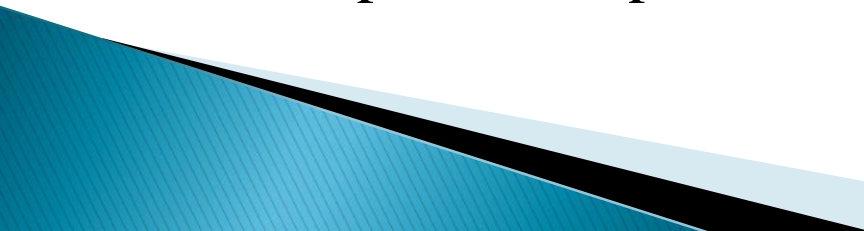
- **Initial purpose** – help law enforcement detect and prevent diversion of controlled substances
 - PDMP policies initially incorporated law enforcement focus
 - ✓ Focus on controlled substances NOT all prescriptions
 - ✓ Access by prescribers and dispensers NOT all healthcare professionals involved in a patient's care
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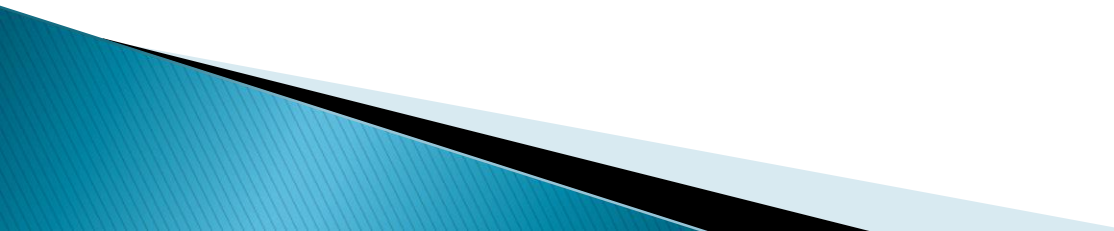
- **New purpose** – help healthcare professionals improve their clinical decision making
 - ✓ Earlier identification and intervention with patients who are, or are at risk of, abusing opioids and other substances
 - ✓ Move from a reactive to a proactive approach

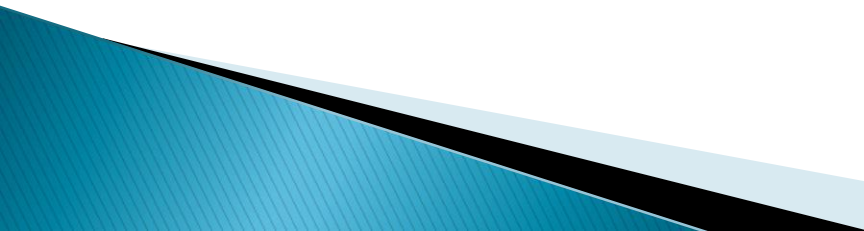
HOW DOES A STATE IMPROVE USE OF ITS PDMP DATA FOR CLINICAL DECISION MAKING?

- Make PDMP data actionable - easy to access and use
 - ✓ Allow broader access by healthcare professionals involved in patient care
 - ✓ Seamlessly integrate the data within the clinical workflow
- Make available a more complete history of a patient's interaction with controlled substances and other substances of potential abuse

WHICH HEALTHCARE PROFESSIONALS NEED ACCESS TO PDMP DATA FOR PATIENT CARE PURPOSES?

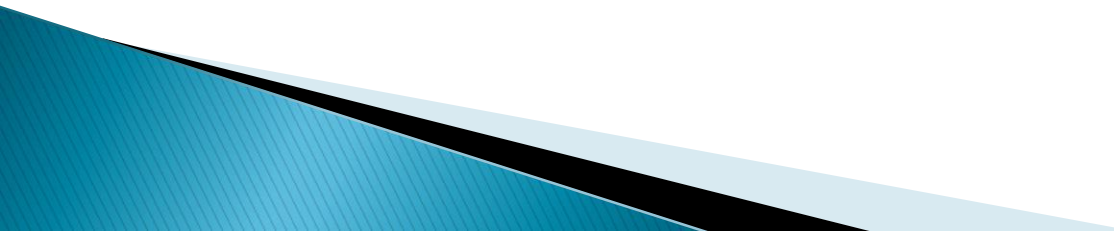
- Big picture: 63 PDMP access roles across 53 PDMPs
 - Expansion of access beyond prescribers/dispensers to other providers of patient care differs widely state to state
 - ✓ Only 17 states allow substance use disorder treatment specialists to request patient data (PDMP Training and Technical Assistance Center)
 - Non-prescriber providers as delegates
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- ✓ Traditional delegate role
 - Only request PDMP data for prescriber
 - No substantive review of data for patient care
 - States' response: Update their PDMP laws and regulations
 - ✓ E.g., Utah – mental health therapist seeking access for a patient of a licensed substance treatment program that meets certain requirements
 - ✓ E.g., Virginia – prescriber or dispenser consulting on treatment for a specific patient
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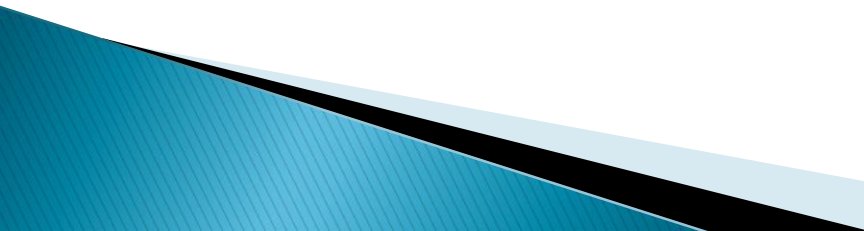
- Interstate PDMP data access by non-prescriber providers of patient care
 - ✓ States share PDMP data with other states that have comparable access, disclosure and use restrictions/parameters
 - ✓ New authorized user descriptions for non-prescriber providers can be unique to specific states
 - States' response: Review descriptions of non-prescriber providers of patient care used in PDMP operations
 - ✓ PMIX Standards Organization promulgated list of healthcare roles used for interstate sharing
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HOW CAN STATE POLICY IMPACT EFFORTS TO SEAMLESSLY INTEGRATE PDMP DATA?

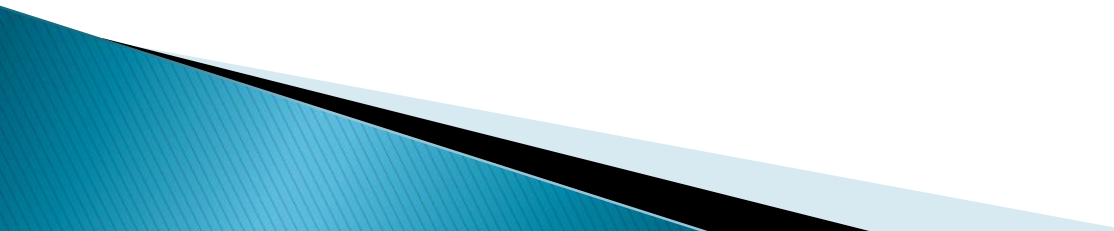
- Access, disclosure and use policies for PDMP can differ from comparable policies for other types of patient data
 - ✓ Authorized users
 - ✓ Methods of access
 - ✓ Storage and retention
 - ✓ Presentation to end user
 - ✓ Disclosure and use in healthcare system
 - ✓ Audit trail – monitoring who request patient data

- More stringent policies for PDMPs remain in effect under Health Insurance Portability and Accountability Act (HIPAA)
 - ✓ More stringent = more protective of patient privacy
 - ✓ No preemption
 - States have to decide whether the more stringent PDMP policies will remain in effect for purposes of integration
 - PDMP policies can shape the type of integration available in a state
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- Storage of PDMP data in Electronic Medical Records (EMR)/ Electronic Health Record (EHR) system
 - ✓ No storage – view only
 - ✓ Storage of PDMP Report as a PDF
 - ✓ Storage of discrete PDMP data elements
- Re-disclosure of stored PDMP data
 - ✓ Comply with PDMP policies
 - ✓ PDMP data governed by policies that apply to other patient data in medical or health record
 - ✓ Compromise – retain certain disclosure restrictions re: PDMP
 - Ban disclosure of PDMP data for certain civil cases


- Use of stored PDMP data
 - ✓ View only
 - No inclusion in databases for analyses
 - ✓ Discrete PDMP data elements used for specific analyses approved by PDMP Administrator
 - ✓ Discrete PDMP data elements used for patient care and safety analyses deemed appropriate by healthcare institution or system
 - PDMP data presentation tailored to needs of specific categories of practitioners
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- States' response: Align in-state PDMP policies on access, disclosure and use with comparable healthcare policies
- Key types of statutory alignment
 - ✓ Allow storage of PDMP data/report in medical or health record
 - ✓ Allow stored PDMP data to be governed by access and disclosure policies that apply to other patient data in medical or health record
- PDMP data access by non-prescriber providers
 - ✓ PDMP web portal vs. integrated healthcare system

- Clarity of language is critical
 - ✓ Silence in PDMP policies
 - ✓ Indirect language in PDMP policies
 - E.g., a practitioner who reviews an EMR/EHR with the integrated data complies with a state mandate to check the PDMP
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HOW DOES A STATE USE ITS PDMP TO PROVIDE A MORE COMPREHENSIVE PATIENT HISTORY RE: POTENTIALLY ABUSIVE SUBSTANCES?

- Monitor all prescribed substances
 - Make available non-prescription, non-controlled substance information
 - ✓ E.g., naloxone administration and other instances of non-fatal overdoses
 - ✓ E.g., medical examiner/coroner data on fatal overdoses
 - ✓ E.g., convictions of controlled substances, DUI or DWI laws
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- Share PDMP data across state lines
 - ✓  meaningful use of out-of-state data
 - Align PDMP policies across states
 - Cross-state differences cause default to compliance with most strict policies
 - Border state coordination
 - ✓ Multiple hub options available
 - PMP InterConnect – 49 states connected
 - RxCheck – 31 states are or in process of connecting; 11 with MOU in process

CONTACT INFORMATION

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