



State of New York
Department of Health
Corning Tower, Empire State Plaza
Albany, New York 12237

ANTONIA C. NOVELLO, M.D., M.P.H., Dr. P.H.
Commissioner

Phone: (518) 474-2011
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October 18, 2006

Dear Practitioner:

The Department of Health reviews controlled substance prescription data submitted by pharmacies through New York's Official Prescription Program. The program that was implemented in 1972, to monitor the prescribing and dispensing of Schedule II controlled substances, has successfully curtailed diversion and abuse. A new law extends the monitoring of all controlled substances.

The monitoring of prescription information is vital in detecting a major source of drug diversion often referred to as "doctor shopping." Individuals engaged in this illegal activity obtain controlled substances for their own addiction and/or street sale from multiple practitioners.

The Public Health Law Section 3397(4) requires a person who obtains a prescription for a controlled substance from more than one practitioner to disclose this information to each practitioner he or she visits. Inappropriately obtaining controlled substances from multiple practitioners and failing to disclose these prior prescriptions is a serious concern to the Department of Health. This illegal activity affects the practitioner's ability to provide patients with quality care and may cause undue risk to a patient when the practitioner does not have all the facts.

Under the new law, the Department will be notifying practitioners if there is reason to believe that a patient being treated with a controlled substance may also be under treatment with controlled substances by another practitioner. In the near future, we will begin providing practitioners with a drug utilization profile report when a thorough analysis of prescription data reveals that a person has obtained controlled substances from five or more practitioners over a 30-day period.

The drug profile report will notify you of our concern for your patient and list the controlled substance prescriptions he or she has obtained during a specified interval. The report will also provide contact information at the Office of Alcohol and Substance Abuse Services as a possible resource for assistance in arranging for substance abuse rehabilitation treatment.

In providing this drug profile report, it is not our intent to determine how you conduct your practice. This information will be provided so practitioners may exercise their medical judgment for any follow-up care they deem necessary. Many other states have implemented similar programs in response to the growing epidemic of "doctor shopping." Such programs enjoy overwhelming support from their medical communities and have reduced this illegal drug-seeking activity by as much as 65 percent, allowing practitioners to devote their time to legitimate patient care.

Your attention and cooperation is appreciated in this important initiative to curtail drug diversion and abuse. If you have any questions about the new law or the Official Prescription Program, please contact the Department's Bureau of Narcotic Enforcement toll free at: (866) 811-7957.

Sincerely,

A handwritten signature in black ink, appearing to read "Anton", written over a horizontal line.

Antonia C. Novello, M.D., M.P.H., Dr. P.H.
Commissioner of Health