

MLMIC Risk Management Tips

Tip #14: Managing Drug Seeking Patients

Healthcare professionals share responsibility for minimizing prescription drug abuse and drug diversion. The following tips are intended to provide guidance to healthcare providers when confronted by drug seeking patients. This type of patient can pose significant challenges.

1. Obtain a complete review of the patient's pertinent history, and conduct a thorough medical evaluation, addressing all objective signs and symptoms of pain.
2. Be cautious of patients who are not interested in having a physical examination, are unwilling to authorize release of prior medical records, or have no interest in a diagnosis or a referral, saying they want the prescription immediately. Be cautious if a new patient has an unusual knowledge of controlled substances, or when a new patient requests a specific controlled drug and is unwilling to try another medication.
3. Document a trial of non-narcotic medication and/or physical therapy before choosing to place the patient on a controlled substance.
4. Document the real source of the patient's pain in the medical record.
5. Consult the I-STOP registry. Effective August 27, 2013, New York State physicians must consult the prescription monitoring program registry. The duty to consult arises prior to prescribing any Schedule II, III, and IV controlled substance. Physicians should also access the following Department of health website, as soon as possible, to establish a health Commerce System account:
<https://hcsteamwork1.health.state.ny.us/pub/top.html>.
6. Document informed consent and agreement for treatment. Consider a written pain management agreement (available from Fager Amsler & Keller, LLP) when prescribing controlled substances for patients with chronic pain.
7. Specifically document drug treatment outcomes and the rationale for medication changes.

8. Assess whether further treatment for addiction or pain management is appropriate, and document this discussion with the patient. If necessary, refer the patient for consultation or to a pain management clinic.
9. Monitor and protect New York State Official Prescription pads.
10. When writing a prescription for controlled substances, write the quantity and the strength of drugs in both letters and numbers. If only a number is on the prescription, it is easy to alter. Never sign an incomplete prescription.
11. Report patients who are reasonably believed to be a habitual user or abuser of controlled substances to the New York State Bureau of Controlled Substances. This is required by New York State Public health Law § 3372.
12. Contact the law firm of Fager Amsler & Keller, LLP to discuss how to address the patient who you believe to be selling/diverting narcotics, or may have altered, forged or stolen prescription pads.