

Quarterly Management Report

The Florida Department of Health

FIRST QUARTER | Fiscal Year 2011-2012

STATE SURGEON GENERAL ISSUES A SUPPLEMENTAL ORDER TO PUBLIC HEALTH EMERGENCY DECLARATION

- Supplemental language suspends requirement for practitioners to use counterfeit-proof prescription pads for 60 days -

In order to minimize unintended consequences of House Bill 7095, State Health Officer and Surgeon General, Dr. Frank Farmer today issued a supplemental order to his previously issued statewide public health emergency declaration. The supplemental order suspends the requirement for health care practitioners to use the Florida Department of Health (DOH) approved counterfeit-proof prescription pads for any controlled substance as defined in Chapter 893 of the Florida Statutes, to run concurrent with the July 1, 2011 declaration.

Over the last several days, DOH has received phone calls from practitioners and patients stating that pharmacies have refused to fill otherwise-legitimate prescriptions for controlled substances because the prescriptions were not written on the approved counterfeit-proof prescription pads. Currently, as many as 50,000 Florida-licensed physicians prescribe controlled substances to treat their patients' medical needs.

"Once we began learning of the unintended consequences to law-abiding doctors and patients with legitimate health care needs, we knew we needed to take action to prevent substantial injury or harm to patients," said Dr. Frank Farmer. "Issuing the supplemental order, provides practitioners the time needed to order

the necessary prescription pads to ensure public safety over the long term."

On June 15, 2011, DOH's Division of Medical Quality Assurance published, on its website, a list of approved vendors from which practitioners can purchase the prescription pads. As of today, there are 91 DOH approved vendors on the website. The Division is actively working with the printing industry to increase the vendor list, to make certain each region of the state has an adequate number of participating printers. Any printer interested in becoming an approved vendor can download the application on DOH's website.

"As a licensed practitioner myself, I understand the complexities of running a medical practice," Dr. Farmer added. "But in the interest of public health and safety to stop the abuse of prescription drugs, I urge all of Florida's licensed health care practitioners to visit DOH's website and order the counterfeit proof prescription pads."

Visit DOH's website at <http://www.doh.state.fl.us/mqa/counterfeit-proof.html> for a listing of approved vendors, instructions on becoming a vendor, and answers to frequently asked questions regarding counterfeit-proof prescription pads.

Board & Council Appointments July 1, 2011 - September 30, 2011

NAME	BOARD OR COUNCIL
Kevin Fogarty	Chiropractic
Roderick Jones	Chiropractic
Joseph Thomas	Dentistry
Wade Winker	Dentistry
Keith Myers	Nursing Home Administrators
Cathy Bracher	Nursing Home Administrators
Jeffrey Mesaros	Pharmacy
Lorena Risch	Pharmacy
Terry Karfonta	Certified Nursing Assistants

STATE SURGEON GENERAL DECLARES PUBLIC HEALTH EMERGENCY REGARDING PRESCRIPTION DRUG ABUSE EPIDEMIC

- Declaration requires practitioners to dispose of controlled substance inventory -

In accordance with House Bill 7095, State Health Officer and Surgeon General, Dr. Frank Farmer today issued a statewide public health emergency declaration in response to the ongoing problem of prescription drug abuse and diversion in Florida. This is another step in Florida Governor Rick Scott's multi-faceted approach to combating the prescription drug pipeline.

On June 3, Governor Scott signed House Bill 7095 into law in response to Florida's epidemic of prescription drug abuse. Its intent is to protect public health and safety by stopping the many prescription drug overdose deaths in Florida. The new law, which is designed to tackle prescription drug distribution in several ways, increases penalties for overprescribing Oxycodone and other controlled substances, requires tracking of the wholesale distribution of certain controlled substances and provides support for the continued efforts of state agencies, state and local law enforcement and state prosecutors. The bill also bans doctors from dispensing these controlled drugs except under specific circumstances.

"Dr. Farmer's declaration is an important milestone in Florida's battle against the multiple threats to public health and safety as a result of rampant prescription drug abuse," said Governor Scott. "Today's efforts should serve as a reminder to practitioners that their first responsibility must be to their patient's health rather than the easy money made from unethical and criminal prescribing and dispensing of controlled substances."

The declaration requires dispensing practitioners who are no longer authorized to dispense controlled substances listed in Schedule II and Schedule III of Section 893.03, Florida Statutes, to dispose of any inventory and cooperate fully with the Florida Department of Health (DOH), Florida Department of Law Enforcement (FDLE), and local law enforcement personnel.

"Through this declaration, Florida is taking a proactive step to combat the illegal distribution of prescription drugs," said Dr. Farmer. "Working with law enforcement officials, DOH can ensure practitioners are in compliance with the new prescription drug law by focusing on the physicians that are of the highest concern due to their purchasing and dispensing levels."

Specifically, the declaration states within two days after July 1, DOH will identify dispensing practitioners who purchased more than an average of 2,000 unit doses of controlled substances listed in Schedule II or Schedule III per month in the previous six months and who pose the greatest threat to the public health. In addition, the declaration orders all state licensed dispensing practitioners who are no longer authorized to dispense controlled substances listed in Schedule II or

Schedule III to dispose of their controlled substance inventory. Disposal can be achieved by either returning the drugs to their wholesale distributor or turning the inventory over to a local law enforcement agency and abandoning them. The declaration will remain in effect for 60 days unless amended or rescinded, or renewed with the concurrence of the Governor.

Background: In 2010, 98 of the top 100 doctors dispensing Oxycodone nationally were in Florida.

In 2010, 126 million Oxycodone pills were dispensed through the top 100 dispensing pharmacies in Florida

More Oxycodone is dispensed in the state of Florida than in the remaining states combined

As part of Florida's comprehensive plan, in March 2011, Governor Scott announced a Statewide Drug Strike Force, headed by FDLE Commissioner Gerald Bailey, to combat the criminal distribution of prescription drugs in Florida. With support from Attorney General Pam Bondi and state and local law enforcement leaders, the Strike Force is charged with stopping the flow of dangerous drugs into communities by disrupting the major illegal supply points.

FIRST QUARTER

ULA Statistics

COMPLAINTS RECEIVED	168
REFERRED FOR INVESTIGATION	119
INVESTIGATIONS COMPLETED	182
CEASE AND DESISTS ISSUED	60
REFERRALS TO LAW ENFORCEMENT	70
ARRESTS	65

ULA Finances

July 1, 2011 - September 30, 2011

BEGINNING CASH BALANCE	\$ 7,955,409
REVENUES	\$582,449
EXPENDITURES	\$337,047
ENDING CASH BALANCE	\$8,200,811

Practitioner Regulation Quarterly Summary

July 1, 2011 - September 30, 2011

BOARD	COMPLAINTS RECEIVED	LEGALLY SUFFICIENT	INVESTIGATIONS COMPLETED	CITATIONS ISSUED	DISMISSED BY PANEL	PC FOUND	PC FOUND DISMISSED	FINAL ORDERS	ULA COMPLAINTS	CONSUMER SERVICES	INVESTIGATIVE SERVICES	PROSECUTION SERVICES	TOTAL SERVICES
ACUPUNCTURE	6	2	2	0	6	1	0	0	1	1	5	15	21
ATHLETIC TRAINERS	2	0	0	2	0	0	0	0	0	2	0	0	2
CERTIFIED NURSING ASST	355	170	178	8	101	132	7	80	2	116	102	445	663
CERTIFIED SOCIAL WORKERS	0	0	0	0	0	0	0	0	0	0	0	0	0
CHIROPRACTIC MEDICINE	78	24	35	5	33	14	1	16	2	73	14	132	219
CLINICAL LABORATORY PERSONNEL	14	4	7	22	2	2	0	2	2	13	5	10	28
CLINICAL SOCIAL WORKERS	28	9	9	0	4	4	0	2	3	8	5	28	41
DENTAL HYGIENISTS	6	2	7	0	2	0	0	0	0	5	2	9	16
DENTAL LABORATORIES	1	1	0	0	0	0	0	0	2	0	5	1	6
DENTISTRY	271	60	67	0	93	21	17	9	11	177	59	214	450
DIETETICS AND NUTRITION	4	2	1	0	2	0	0	1	8	4	23	9	36
DRUGS, DEVICES & COSMETICS	35	33	37	0	96	0	0	19	0	0	14	349	363
ELECTROLYSIS	2	1	0	3	1	0	0	4	0	1	1	16	18
ELECTROLYSIS FACILITIES	0	0	0	0	0	0	0	0	2	0	0	1	1
EMERGENCY MEDICAL TECHNICIAN	36	7	5	0	38	10	9	7	0	16	3	139	158
HEARING AID SPECIALISTS	20	8	1	0	1	0	0	2	0	10	5	16	31
MARRIAGE & FAMILY THERAPISTS	15	8	6	0	3	3	0	1	4	5	7	12	24
MASSAGE ESTABLISHMENTS	57	21	13	2	9	20	1	10	24	12	25	75	112
MASSAGE THERAPY	120	30	36	0	18	32	3	35	18	57	46	208	311
MEDICAL PHYSICISTS	18	17	0	10	0	0	0	2	0	5	1	0	6
MEDICINE	1801	484	301	90	318	153	36	50	22	1197	273	1171	2,641
MENTAL HEALTH COUNSELING	42	18	13	2	8	4	0	6	9	25	22	57	104
MIDWIFERY	2	1	0	0	0	0	0	5	0	5	3	12	20
NATUROPATHIC MEDICINE	0	0	0	0	0	0	0	0	0	0	1	0	1

continued on pg. 4

Practitioner Regulation Quarterly Summary *(cont'd)*

BOARD	COMPLAINTS RECEIVED	LEGALLY SUFFICIENT	INVESTIGATIONS COMPLETED	CITATIONS ISSUED	DISMISSED BY PANEL	PC FOUND	PC FOUND DISMISSED	FINAL ORDERS	ULA COMPLAINTS	CONSUMER SERVICES	INVESTIGATIVE SERVICES	PROSECUTION SERVICES	TOTAL SERVICES
NURSING - ARNP	60	23	17	0	20	10	1	2	0	32	20	52	104
NURSING - LPN	306	112	122	1	69	73	11	69	2	108	54	330	492
NURSING - RN	518	227	239	27	150	141	10	88	3	232	105	632	969
NURSING HOME ADMINISTRATORS	27	5	2	1	3	3	0	1	0	29	5	13	47
OCCUPATIONAL THERAPY	10	6	7	0	2	0	1	2	1	6	4	13	23
OPTICAL ESTABLISHMENTS	5	6	1	0	0	0	0	0	10	0	12	2	14
OPTICIANRY	11	7	6	3	1	1	0	0	1	1	1	17	19
OPTOMETRY	6	2	3	0	10	1	0	3	0	3	1	8	12
OPTOMETRY BRANCH OFFICES	1	0	0	0	0	0	0	0	0	1	0	0	1
ORTHOTISTS & PROSTHETISTS	6	4	3	0	3	1	0	6	2	1	4	8	13
OSTEOPATHIC MEDICINE	151	37	43	1	49	35	5	21	1	100	33	197	330
PAIN MANAGEMENT CLINICS	52	14	12	0	4	6	1	7	8	16	45	51	112
PARAMEDICS	31	12	13	0	35	15	15	7	0	13	4	214	231
PHARMACIES	100	41	46	0	31	15	8	11	5	26	49	159	234
PHARMACISTS	115	59	73	10	36	37	6	22	0	44	42	232	318
PHARMACY TECHNICIANS	29	19	16	0	1	7	1	7	3	16	12	30	58
PHYSICAL THERAPY	26	12	11	0	5	1	1	4	5	12	17	35	64
PHYSICIAN ASSISTANTS	113	61	18	4	24	13	1	8	3	54	14	61	129
PODIATRIC MEDICINE	42	13	18	1	1	2	1	4	2	20	8	44	72
PSYCHOLOGY	37	12	9	2	14	2	1	0	4	15	16	42	73
RADIOLOGIC TECHNOLOGY	24	14	13	0	0	13	16	1	0	14	5	55	74
RESPIRATORY CARE	24	15	11	0	3	1	6	24	0	12	1	34	47
SCHOOL PSYCHOLOGY	2	1	1	0	0	0	0	0	0	1	0	4	5
SPEECH-LANGUAGE PATH/AUDIO	9	6	5	0	0	5	0	0	0	9	2	31	42
TOTAL FOR ALL BOARDS	4,618	1,610	1,407	194	1,196	778	159	538	160	2,497	1,075	5,183	8,755