

LOCAL, STATE & REGION

Still no requirement for Oregon doctors to check on opioid prescription history

Report: Only 4 of 12 recommendations from state audit have been implemented

BY FEDOR ZARKHIN
The Oregonian

Oregon has failed to make key changes intended to reduce improper opioid prescriptions, the Secretary of State's Office said Wednesday in a follow-up report to a 2018 audit that identified a host of problems with the state's use of a database tracking prescriptions of addictive medications.

Only four of the auditors' 12 recommendations have been fully implemented, according to the report. The Oregon Health Authority, which oversees the state's drug monitoring program, told auditors most of the changes required legislative action but an influential lawmaker said the agency never asked her for help.

"That's why we're here today — to call on the state legislators to pass the bills and the Oregon Health Authority to fully implement the remaining recommendations in this audit as soon as possible," Secretary of State Shemia Fagan said at a news briefing Wednesday. "Literally lives depend on it."

Yet it's unclear what action, if any, the Oregon Health Authority took in the 3½ years since the initial audit's release to lobby lawmakers for recommended changes.

Responding to questions from The Oregonian on Wednesday, the agency did not provide examples of requests it made to lawmakers nor did it say why it could not enact audit recommendations through changes in administrative rules. The agency indicated it lacked the statutory authority to set certain requirements and legislators must change state law to give it those powers.

"OHA appreciates that the Secretary of State auditors identified additional areas of improvement. However, many of the recommendations fall outside of the scope of OHA and require additional legislative changes," the health authority said in a statement. "The agency looks forward to working with the Oregon Legislature as potential statutory changes are considered in future sessions."

The most recent chair of the Senate Health Care Committee, Sen. Deborah Patterson, D-Salem, said the health authority never approached her about the recommended changes to the law surrounding the prescription drug monitoring program.

"I can definitely say that, no, they have not talked to me about anything related to that," said Patterson, who has chaired the committee since the 2021 regular session.

Oregon is one of less than 10 states that does not require all opioid prescribers to check a state database for suspicious activity, such as doctor shopping, before writing a prescription, according to the



Participants in the Walk for Recovery, an addiction support and recovery event, make their way through downtown Bend on Sept. 7, 2019. In a follow-up audit, the Oregon Secretary of State's Office says the state has failed to make changes to help reduce improper opioid prescriptions.

2018 audit. Since late 2021, providers have had to check the database before prescribing drugs only to Medicaid patients.

That was one of a dozen shortcomings the Secretary of State identified in its 2018 audit of the Prescription Drug Monitoring Program, a database that is meant to track every prescription of medicines that can be abused. Since then, the state has acted on some of the original audit's recom-

mendations, including putting together "report cards" analyzing prescription trends among prescribers and clinics and helping clinics become more familiar with the prescription drug database.

But the state has not taken the bulk of the most important actions, including mandating that all prescribers actually use the database, pursuing changes in the law that would force prescribers to register with the drug monitoring pro-

gram and penalizing pharmacies that input incorrect information.

The opioid epidemic was initially fueled by prescription painkillers, originally billed as safe, yet found to be highly addictive. That has led to today's heroin and fentanyl epidemic.

Fagan drew a straight line from the problems it wants fixed to the opioid epidemic that, according to the health authority, kills five Oregonians a week.

"These are not statistics. These are not just numbers," Fagan said. "These are people."

As awareness about opioid abuse has grown, government agencies have cracked down on pain pill prescriptions and taken the companies making and selling them to court. Nationally and in Oregon, opioid prescriptions have dropped. Unintentional prescription drug overdoses in the state have fallen in the last six years, even as overdoses from other opioids, such as heroin and fentanyl, have climbed dramatically.

But Oregon is an outlier nationally, with the highest reported rate of prescription pain killer misuse of any state, according to the most recent federal recent data.

One component of the multipronged effort nationally to cut down on inappropriate opioid prescriptions has been the Prescription Drug Monitoring Program. But that system only works if everyone who prescribes the medicines uses the database.

Gov. Kate Brown's 2019-21 state budget said the health

authority supported the 2018 audit recommendations and would "await direction" from the Legislature, noting that routine use of the database "is important for reducing opioid prescribing."

Two years later, in Brown's 2021-23 budget, the agency said it was "prepared to provide information and evidence to the legislature to support altering the Oregon law to require mandatory use of the [prescription database] under certain circumstances."

According to Wednesday's follow-up report, the health authority now "is actively using appropriate channels to recommend legislative changes" to ensure all prescribers be required to use the database.

Kip Memmott, the Secretary of State's Office audit director, said that as a large agency responding to the coronavirus pandemic, the health authority had "other legislative priorities."

"I think they've worked forward on the statutes as best as they feel they can," Memmott said.

In what Memmott said was a shift, the Secretary of State's Office has now apparently started doing some of the lobbying work itself to help ensure use of the database becomes mandatory, among other recommended changes. Fagan said the agency's legislative director has contacted lawmakers to ask if bills relevant to the audit will be introduced and who the "legislative champions" would be for changes in the law.

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