

February 27, 2018

The Honorable Michael Bennet
United States Senate
261 Russell Senate Building
Washington, DC 20510

The Honorable Dean Heller
United States Senate
324 Hart Senate Office Building
Washington, DC 20510

Dear Senators,

We write to thank you for your leadership on the *Every Prescription Conveyed Securely Act* and urge your colleagues in Congress to support this vital legislation. The opioid crisis is devastating families and communities from coast to coast. In 2016, more than 42,000 people died as a result of the crisis, more than any year on record according to the Centers for Disease Control and Prevention (CDC).¹

A number of approaches have been summoned to attack this epidemic, but we believe that the use of already-existing electronic prescribing of controlled substances (EPCS) technology is going underutilized. EPCS reduces opportunities for diversion, as the DEA-approved electronic prescribing process provides more protection from diversion than the current system of paper and oral prescriptions. EPCS prescriptions cannot be altered, cannot be copied, and are electronically trackable. Furthermore, the federal DEA rules for EPCS establish strict security measures, such as two-factor authentication, that reduce the likelihood of fraudulent prescribing. Additionally, electronic prescribing offers new dimensions of safety and security for controlled substance prescriptions.

Over the past few years, the private sector has dramatically improved its use of E-Prescribing. Data from self-reported drug abusers suggest that between 3 percent and 9 percent of diverted opioid prescriptions are tied to forged prescriptions.² While in 2013, 1 billion prescriptions were e-prescribed, in 2016, 1.6 billion prescriptions were e-prescribed. Yet, despite this vast growth, EPCS is lagging behind broader e-prescribing trends. According to health information network Surescripts, while approximately 90 percent of non-controlled substance prescriptions are e-prescribed, only 15 percent of prescriptions for controlled substances were submitted electronically in 2017.³

The *Every Prescription Conveyed Securely Act* promotes the use of EPCS to help address the opioid crisis by requiring that controlled substances for Medicare beneficiaries are prescribed electronically. This connection will encourage wider adoption of EPCS and help curtail “doctor shopping.”

FDA Commissioner, Scott Gottlieb, has indicated that a national e-prescribing system would allow his agency to think more strategically about controlled substances and their REMS program. EPCS could be

¹ Centers for Disease Control and Prevention. *Drug Overdose Death Data, 2016 Deaths*. Available at: <https://www.cdc.gov/drugoverdose/index.html>.

² Rosenblum, Andrew, et al. "Prescription opioid abuse among enrollees into methadone maintenance treatment." *Drug and Alcohol Dependence* 90.1 (2007): 64-71. And, Inciardi, James A., et al. "The “black box” of prescription drug diversion." *Journal of Addictive Diseases* 28.4 (2009): 332-347.

³ Surescripts. *Data Brief, January 2018*.

used to strengthen the tools at the disposal of prescribers and pharmacists and even present a solution to a problem recognized by the Commissioner, interoperability across state lines.⁴

Seven states (New York, Maine, Virginia, Connecticut, North Carolina, Rhode Island, and Arizona) have already passed legislation to mandate EPCS. These states now have a significantly more secure process in place or in the works. The system provides security and convenience from start to finish: from the doctors' electronic prescription-writing process to the pharmacy dispensing medications to the patient.

A national bill such as the one you have proposed would make available the promise of EPCS to the entire country and mark a significant step forward in the fight against the opioid crisis. Your bill would help fill a critical gap in the current prescription drug distribution chain.

The time to act on this common-sense policy is now. EPCS is a bi-partisan solution that the President's Commission on Combating Drug Addiction and the Opioid Epidemic endorsed as a part of its November 2017 recommendations. In the same 2017 report the Commission states that each day 175 deaths are attributed to the opioid epidemic. We can no longer afford to delay the advancement of policies, such as electronic prescribing, that will help curb diversion and abuse rates and inform appropriate interventions.⁵

Thank you for your critical leadership with the *Every Prescription Conveyed Securely Act*. We encourage your colleagues to cosponsor the bill and ensure its speedy passage in both chambers of Congress.

Sincerely,

National Association of Chain Drug Stores
CVS Health
Walgreens
Express Scripts
Surescripts
Prime Therapeutics
Imprivata
Pharmaceutical Care Management Association
National Community Pharmacists Association
National Coalition on Health Care

⁴ Michael Mezher. *Gottlieb: FDA Looking Beyond Opioids in Overdose Epidemic*. Regulatory Affairs Professionals Society, Regulatory Focus™. February 2018. Available at: <https://www.raps.org/news-and-articles/news-articles/2018/2/gottlieb-fda-looking-beyond-opioids-in-overdose-e>.

⁵ The President's Commission on Combating Drug Addiction and the Opioid Crisis. *Recommendations on Drug Addiction and the Opioid Crisis*. November 1, 2017.