



# VERMONT PRESCRIPTION MONITORING SYSTEM

## PRESCRIBER COMPLIANCE

# Statute

**18 V.S.A. § 4289** includes the following provisions:

- (b)(1) Each health care provider who prescribes any Schedule II, III, or IV controlled substances shall register with the VPMS by November 15, 2013.
- (2) If the VPMS shows that a patient has filled a prescription for a controlled substance written by a health care provider who is not a registered user of VPMS, the Commissioner of Health shall notify the applicable licensing authority and the provider by mail of the provider's registration requirement pursuant to subdivision (1) of this subsection.
- (3) The Commissioner of Health shall develop additional procedures to ensure that all health care providers who prescribe controlled substances are registered in compliance with subdivision (1) of this subsection.

**3 V.S.A. § 129a** includes the following provisions:

- (a) In addition to any other provision of law, the following conduct by a licensee constitutes unprofessional conduct. When that conduct is by an applicant or person who later becomes an applicant, it may constitute grounds for denial of a license or other disciplinary action. Any one of the following items, or any combination of items, whether or not the conduct at issue was committed within or outside the State, shall constitute unprofessional conduct:
- (3) Failing to comply with provisions of federal or State statutes or rules governing the practice of the profession.

# VPMS Compliance

## The Question:

- *What is Vermont's prescriber compliance with the statute?*

## The Challenge:

- *How many providers are actually required to register for VPMS?*

# Prescriber Identification

- Prescription history for previous year
- Licensing Board Files
  - ▣ VA Prescribers
- Registrant Files

# Process

- Protocol development
  - ▣ Work with Med Board and OPR
  - ▣ Consultation with Legal
  
- Provider identification
  - ▣ Cross-check prescribers who have prescribed at least once in the last year with registration flat files

# And then...

- Forced Update and Account Purge
  - ▣ Shell accounts from HID transfer
  
- Leadership Changes at licensing board
  - ▣ Changes in preferred methods
  
- System Migration
  
- Adoption of new Rules for Prescribing of Opioids and new Rules for VPMS
  - ▣ Increased attention on requirements
  - ▣ Large systems involvement

# What's next?... the protocol...

## **Identification Process**

- Prescribers will be checked against registrant data on a quarterly basis

## **Notification of Licensee**

- Unregistered prescribers will be sent a letter from the Commissioner of Health requesting that they register immediately.
- Program staff may also attempt to contact unregistered prescribers via phone or email if possible.
- Approximately 30 days after a prescriber is notified of the need to register to use VPMS, the VPMS data analyst will check to verify that the prescriber has registered.
- If the prescriber has not registered at this time, a second notice will be sent and the appropriate licensing authority carbon copied.
- If a prescriber has not registered, his or her name will be added to a list to be checked monthly against a list of individuals who have prescribed controlled substances.

## **Notification to Licensing Authority**

- If they have not registered within 15 days of the second notice and any additional prescriptions for controlled substances are written, a report will be sent to the appropriate licensing authority.

# Questions?...

- ▣ Programmatic questions can be directed to the program manager, Hannah Hauser at:

[Hannah.Hauser@vermont.gov](mailto:Hannah.Hauser@vermont.gov)

(802) 652-4147

- ▣ Data-related questions can be directed to the program analysts, Lela Kretzer and Dagmar Zentrichova at:

[Lela.Kretzer@vermont.gov](mailto:Lela.Kretzer@vermont.gov)

(802) 863-6354

[Dagmar.Zentrichova@Vermont.gov](mailto:Dagmar.Zentrichova@Vermont.gov)

(802) 859-3005