



**Board of  
Pharmacy**

# OARRS Early Intervention Program

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# OARRS EARLY INTERVENTION (EI)

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- The Ohio Board of Pharmacy **OARRS Early Intervention (EI)** Initiative began in 2018 and is modeled after a similar pre-criminal intervention program in Nevada.
- Designed to use OARRS data to identify individuals who have violated **ORC 2925.22 Deception to Obtain a Dangerous Drug** and offer them assistance rather than criminally charging them with a felony.
  - Receiving prescriptions from multiple providers or multiple pharmacies
  - Potential indicators for substance use disorder
- OARRS EI is grant-funded by the United States Department of Justice, Bureau of Justice Assistance.

# DEFLECTION

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- OARRS Early Intervention is a **DEFLECTION** program, not to be confused with a court ordered diversion program.
- *Deflection programs are a model that aims to connect people with treatment and social services instead of traditional police interventions like arrest and charging. The goal is to reduce the burden on the criminal justice system, prevent people from cycling in and out of jail, and build safer communities.*

# COMPONENTS OF THE EARLY INTERVENTION PROGRAM

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- Identification and review of potential candidates
- Coordination with local law enforcement and treatment providers
- Outreach and enrollment in the program
- Monitoring
- Successful Completion

# AUTHORITY (MANDATE) OF BOARD TO REVIEW OARRS

## Ohio Revised Code 4729.80 (B)

(B) The state board of pharmacy shall maintain a record of each individual or entity that requests information from the database pursuant to this section. In accordance with rules adopted under section [4729.84](#) of the Revised Code, the board may use the records to document and report statistics and law enforcement outcomes.



# OARRS EI – INITIAL STEPS

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- Ohio Revised Code § 2925.22 – DECEPTION TO OBTAIN A DANGEROUS DRUG
  - *“No person, by deception, shall procure the administration of, a prescription for, or the dispensing of, a dangerous drug...”*
  - *ORC § 2913.01(A) Deception – “knowingly deceiving another or causing another to be deceived by any false or misleading representation, by withholding information, by preventing another from acquiring information, or by any other conduct, act, or omission that creates, confirms, or perpetuates a false impression in another, including a false impression as to law, value, state of mind, or other objective or subjective fact.”*

# IDENTIFYING POTENTIAL CANDIDATES

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## Criteria at start of the Program (2021)

- Individuals who received prescriptions from five pharmacies and five prescribers in a three-month period

## Evolution of Criteria

- Overlapping of drug classes to other controlled substance groups including Benzodiazepines, Stimulants, and Sedatives
- Reduction of the threshold for prescribers and pharmacy counts
- Dropped the multiple pharmacies criteria, although the count is still tracked.
- Added threshold number of overlapping days of dangerous drug class combinations
- Gabapentin



# IDENTIFYING POTENTIAL CANDIDATES

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## Current Criteria

- Individuals who have filled a prescription which is duplicate therapy from more than one prescriber/practice at the same time.
- or*
- Individuals who have filled a combination of three or more prescriptions from more than one prescriber/practice which has been identified by the DEA as a combination of potential abuse, including:
    - Opioid, Benzodiazepine, Carisoprodol
    - Opioid, Benzodiazepine, Stimulant
    - Opioid, Benzodiazepine, Gabapentin
    - Opioid, Benzodiazepine, Sedative
    - Opioid and Benzodiazepine

# IDENTIFYING POTENTIAL CANDIDATES



- Review monthly potential candidate report three-month list.
  - Conduct OARRS inquiries reports of individuals on list.
  - Look for overlaps of same/similar medication.
  - Review diagnosis codes, prescriber/pharmacy info.
  - Contact prescribers to verify deception.
- After a prescriber confirms **deception**, a criminal case is opened.

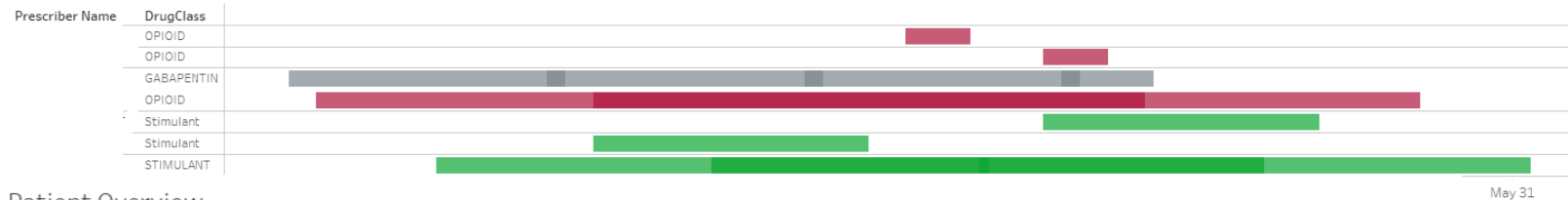
# SAMPLE PATIENT REPORT

A// Listed prior month(s): All

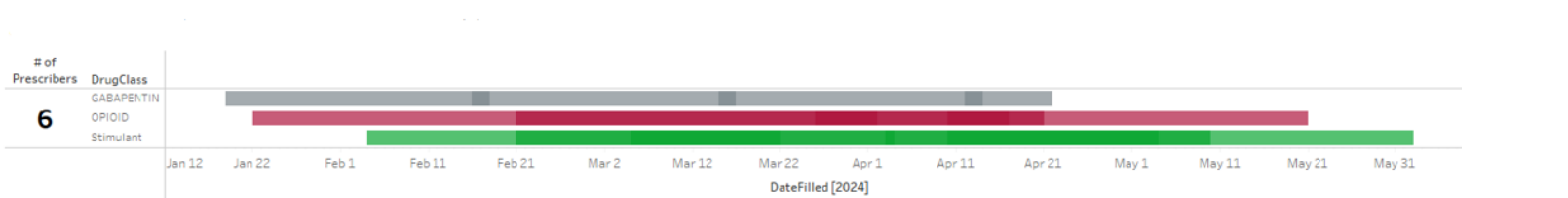
## Dispenses List

DateFilled	Drug Name & Strength	Prescriber Name	PrescriberStreet	PharmacyName	Refill	MED	ICD10	ICD10Description
4/12/2024	GABAPENTIN - 600 MG				2		Missing	Invalid(NULL)
4/10/2024	MODAFINIL - 200 MG				0	0	Missing	Invalid(NULL)
	TRAMADOL - 50 MG				0	14.285714..	D7210	Extraction, erupted tooth requiring removal of bone and/or ..
4/3/2024	NULL - NULL				0		Missing	Invalid(NULL)
3/26/2024	TRAMADOL - 50 MG				0	14.285714..	D7210	Extraction, erupted tooth requiring removal of bone and/or ..
3/22/2024	HYDROCODONE BI-ACETAMINOPHE - ..				0	12.5	Missing	Invalid(NULL)
	MORPHINE - 30 MG				0	60	Missing	Invalid(NULL)
3/15/2024	GABAPENTIN - 600 MG				1		Missing	Invalid(NULL)
3/5/2024	AMPHETAMINE SALTS - 30 MG				0	0	Missing	Invalid(NULL)
2/21/2024	HYDROCODONE BI-ACETAMINOPHE - ..				0	12.5	Missing	Invalid(NULL)
	MODAFINIL - 200 MG				0	0	Missing	Invalid(NULL)
	MORPHINE - 30 MG				0	60	Missing	Invalid(NULL)
2/16/2024	GABAPENTIN - 600 MG				0		Missing	Invalid(NULL)
2/4/2024	AMPHETAMINE SALTS - 30 MG				0	0	Missing	Invalid(NULL)
1/22/2024	HYDROCODONE BI-ACETAMINOPHE - ..				0	12.5	NC	No code included by prescriber
	MORPHINE - 30 MG				0	60	NC	No code included by prescriber
1/19/2024	GABAPENTIN - 600 MG				3		Missing	Invalid(NULL)

## Prescribers' Drug Classes



## Patient Overview



## Overlap Days

Benzos	Bup/Nalox	Carisoprodol	Gabapentin	Opioids	Sedatives	Stimulants
				14		57



# OHIO NARCOTICS INTELLIGENCE CENTER (ONIC)


- ONIC assists with subject profile/background check
- Eligibility – previous felonies or drug offenses exclude an individual from participation
- Deconfliction & Agent safety
- Phone & address
- Social media posts
- Licenses/certifications



# DEFERRED PROSECUTION AGREEMENT (DPA)

- After obtaining approval from the local prosecutor's office, identified candidates are given the opportunity to sign a DPA.
- The DPA is not a confession, nor an admission of guilt.
- The individual will not be charged with any crimes related to their doctor shopping behavior if they agree to follow the parameters of the DPA.

The screenshot shows the official form for a Deferred Prosecution Agreement (DPA) from the Ohio Board of Pharmacy. At the top left is the Ohio Board of Pharmacy logo, and at the top right is the website Pharmacy.Ohio.gov. Below the website are the names of the Governor, Lt. Governor, and Executive Director. The title of the document is "DEFERRED PROSECUTION AGREEMENT". The form contains a paragraph of introductory text with several blank lines for dates and names. It is followed by six numbered items, each with a blank line for a signature or mark. Item 1 describes the violation of ORC Section 2925.22. Item 2 defines deception. Item 3 requires a substance abuse assessment. Item 4 restricts OARRS reportable drug use to one prescriber. Item 5 requires updating the OBPA agent. Item 6 requires contacting the prescriber for new prescriptions.

 **Board of Pharmacy** Pharmacy.Ohio.gov  
Mike DeWine, Governor   Jon Husted, Lt. Governor   Steven W. Schierholt, Executive Director

**DEFERRED PROSECUTION AGREEMENT**

On \_\_\_\_\_, 2024, I, \_\_\_\_\_ met with Agents of the Ohio Board of Pharmacy (OBP) to discuss this Deferred Prosecution Agreement (DPA). I understand I am being investigated for violation(s) of the Ohio Revised Code (ORC), Section 2925.22, Deception to Obtain a Dangerous Drug, which occurred in \_\_\_\_\_ County, Ohio. The following statements have been explained and acknowledged with my initials.

1. Ohio Revised Code (ORC) Section 2925.22, Deception to Obtain a Dangerous Drug, provides that no person, by deception, shall procure the administration of, a prescription for, or the dispensing of, a dangerous drug or shall possess an uncompleted preprinted prescription blank used for writing a prescription for a dangerous drug. \_\_\_\_\_
2. Deception means knowingly deceiving another or causing another to be deceived by any false or misleading representation, by withholding information, by preventing another from acquiring information, or by any other conduct, act, or omission that creates, confirms, or perpetuates a false impression in another, including a false impression as to law, value, state of mind, or other objective or subjective fact. \_\_\_\_\_
3. I agree to have a full comprehensive substance abuse assessment performed by an individual licensed as a Licensed Chemical Dependency Counselor II (LCDC II) or higher, at a location that is certified by Ohio Department of Mental Health and Addiction Services (OhioMHAS) within \_\_\_\_\_ days. In the event treatment or support services are recommended, I agree to participate in the treatment and/or support services and provide proof of compliance to the OBP. \_\_\_\_\_
4. I agree when receiving a prescription for an Ohio Automated Rx Reporting System (OARRS) reportable drug (opioids, stimulants, benzodiazepines, barbiturates, sedative hypnotics, and/or gabapentin) to only use one prescriber/medical practice. I agree I will not seek or obtain OARRS reportable drugs, outside of a true medical emergency, from any prescriber except my primary provider/medical practice, namely: \_\_\_\_\_ . In addition, to my primary care provider, I am being treated by the following specialist/medical practice: \_\_\_\_\_
5. I agree to update the OBP Agent if my primary provider or specialist changes. \_\_\_\_\_
6. If a provider other than those listed above prescribes any OARRS reportable drug, I agree prior to filling the prescription, I will contact my primary provider/specialist to advise him/her and request the new prescribed drug be added to my medical record. \_\_\_\_\_

# DPA STIPULATIONS

- Report for a Drug/Alcohol/Mental Health assessment, then follow recommendations.
- Ideally use 1 physician to obtain OARRS reportable drugs.
- Advise Agents of additional OARRS reportable drugs deemed necessary by a physician, and within 48 hours of emergency treatment. The DPA does prohibit a participant from getting required medical care or medications.
- Notify all treatment providers of the DPA and provide a copy for their review.
- Monitored up to 12 months.



# Helpful Resources

## 988 Suicide & Crisis Lifeline

**(9-8-8):** Ohioans who are experiencing a mental health or addiction crisis, and their family members, can call, chat, or text the 988 number in order to reach a trained counselor who can offer help and support. 988 provides 24/7, free and confidential support to Ohioans in a behavioral health crisis.



**Ohio CareLine (1-800-720-9616):** The Ohio CareLine is a toll-free emotional support call service created by the OhioMHAS and administered in community settings. Behavioral health professionals staff the CareLine 24 hours a day, 7 days/week. They offer confidential support in times of a personal or family crisis. When callers need additional services, they will receive assistance and connection to local providers.

**Ohio Domestic Violence Network (1-800-934-9840):** Provides linkages to **local** domestic violence resources. If you are in immediate need of assistance for domestic violence and it is outside of business hours, contact the National Domestic Violence Hotline at 800.799.SAFE (7233) or live chat at [www.thehotline.org](http://www.thehotline.org).

**Local Drug Disposal:** The Ohio Board of Pharmacy encourages the public to use of collection sites around Ohio to dispose of unneeded and unwanted medications. To locate a disposal box near you visit: [www.pharmacy.ohio.gov/dispose](http://www.pharmacy.ohio.gov/dispose).

**Free Mail-Order Naloxone:** If you are in Ohio, you can get naloxone for you, someone you know, or your organization. For more information visit: [naloxone.ohio.gov](http://naloxone.ohio.gov)

*The resources listed in this document are for informational purposes only and do not constitute an endorsement by the Ohio Board of Pharmacy. They do not represent a complete list of the resources available.*

## Substance abuse and mental health conditions are treatable, and help is available.

Mental health and substance use disorders affect people from all walks of life and all age groups. These illnesses are common, recurrent, and often serious, but they are treatable and many people do recover.

Help is available for those whose lives are impacted by mental health and/or substance abuse. Whether you suffer from a mental health condition or substance abuse or you know someone who does, the Ohio Board of Pharmacy encourages all Ohioans to seek care using the resources featured on this card.



[www.pharmacy.ohio.gov](http://www.pharmacy.ohio.gov)



# OARRS EI CANDIDATES – 3 CATEGORIES

1

**Under agreement  
and being actively  
monitored.**

2

**Successfully  
completed the  
program.**

- Letter of completion

3

**Violated the DPA  
or refused  
participation and  
are awaiting  
criminal action.**



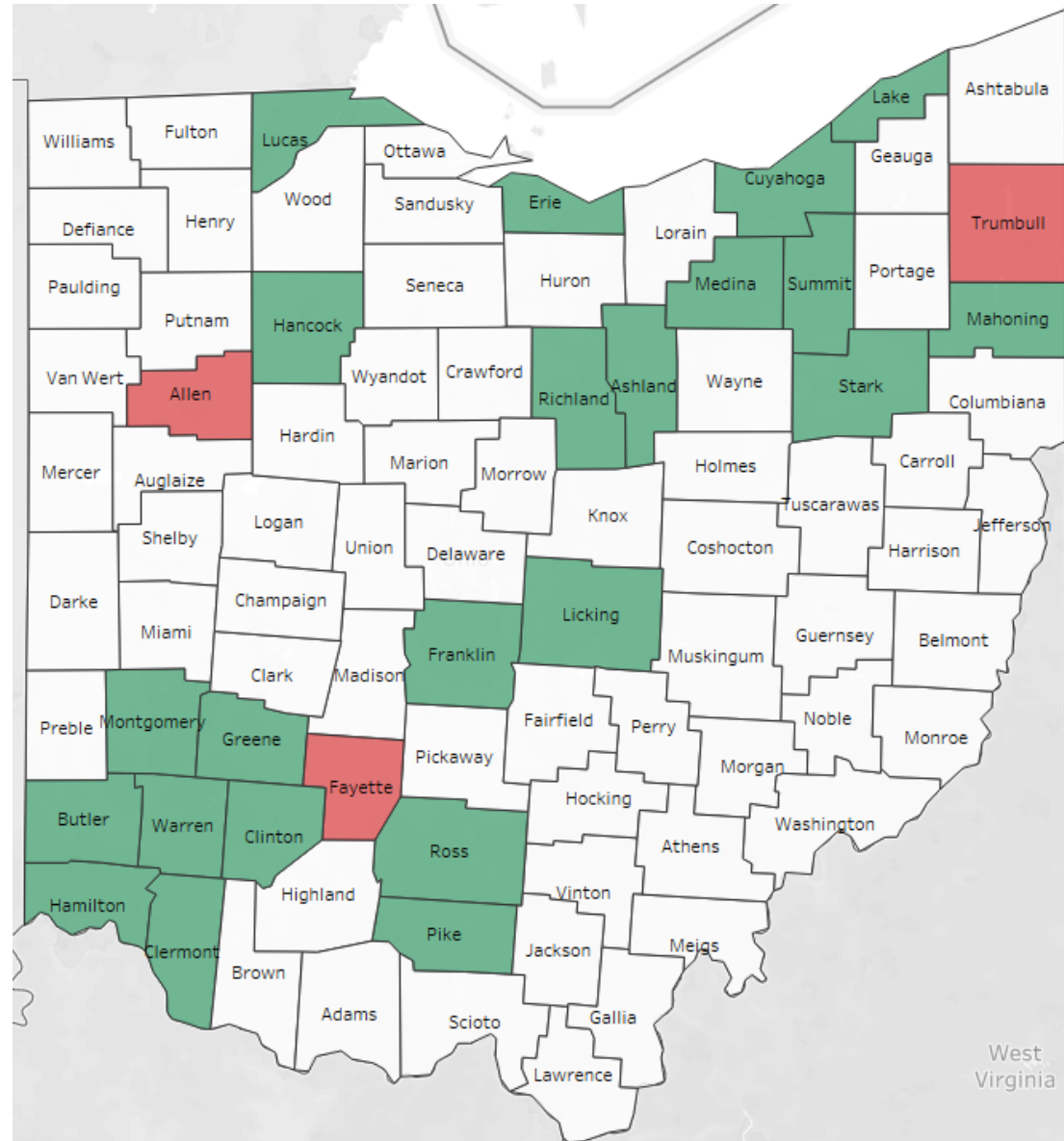
# OARRS EI Successful Partnership



- Identification of potential candidates by EI agents and OARRS analysts
- Local county prosecutor's office approves DPA.
- Access to Healthcare Services
  - Treatment providers (medical, substance use disorder, and mental health) provide assessment and follow up to assist those identified to participate.
  - Transportation
  - Insurance Coverage (e.g. Medicaid eligibility)
- Participant must buy in

# OARRS EI PROGRAM PARTICIPATING COUNTIES

**22 Counties currently participate in the program**



## Participation

- Approved
- Declined

# OBSTACLES

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- Incomplete ICD-10 codes on OARRS reports.
- Evolution of criteria to identify candidates
- ER's- 7 day rule.
- Legitimate medical issues
- Gabapentin high max dose
- Telemedicine
- Transient nature
- Person's willingness to engage in treatment
- Buy in from some county prosecutors.
- Prescriptions issued out of state

# OARRS EI OVERALL STATISTICS

To date **238** cases have been opened

- **87** individuals have been signed up for the OARRS EI program
  - **70** successfully completed
  - **10** actively being monitored
- **12** cases referred for criminal prosecution
- **51** cases referred to law enforcement since beginning of 2021
- **4** deceased prior to signing up/completing the program



# EVALUATION METRICS

- Average number of monthly requests for OARRS patient report
- Average number of dispenses by drug class
- Average MME per Day



# PARTICIPANT FEEDBACK

- *“Thank you so much! I would like for you to know that I really appreciate you.... You didn’t make me feel like I was some kind of criminal that did something terribly wrong which I really appreciate. It was nice meeting you, although I would have rather it had been different circumstances LOL but either way you’ve been kind. I appreciate you and I hope that you enjoy the rest of your day and have a wonderful life! thank you.”*
- *“.... It’s hard, I’ve spent my life as a patient, since I was 16, surgery after surgery.. now I’m picking up the pieces of my life. Prescriptions have ruled my life, I’m going to be real with you. I am scared to death to be charged for a crime. I want you to know I am doing my best and I also thankfully have family support, which is huge. I truly appreciate the opportunity to make significant changes in my life I don’t think I could have made on my own.”*



# QUESTIONS?

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PHARMACY.OHIO.GOV



# THANK YOU

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