Compliance Issues Related to Controlled Substances

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Scope of the Problem

• “We’re one of the lucky organizations”
• "That wouldn’t happen here. We’re a small facility."
• Look at:
  – Number of cases per year
  – How they are identified
• Mitigate risk with a formal program, transparency, and development of a culture of accountability

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The Potential for Harm is Very Real

- Care delivered by an impaired provider
- Withholding medications from patients in need
- Transmission of bloodborne pathogens
- Overdose, death
- Driving impaired

The Potential for Harm is Very Real

- HIPAA violations
- Liability-civil, regulatory
- 340B and GPO compliance
- Negative publicity (brand at risk)
Goals

• Prevent, detect and respond
• Culture of ongoing awareness and accountability

What is Needed System-Wide?

• Uniform processes
• Consistent objectives where uniformity isn’t feasible
• Simplicity
• Communication across the system
### Program Operations and Oversight

#### Diversion Specialist
- Daily operations-surveillance
- Database
- Educator

#### Other Key Functions
- Education
- Institutional resource
- Diversion risk rounds
- Community, LE and regulatory liaison

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### Program Operations and Oversight

#### Diversion Response Team
- Multidisciplinary
- Input from manager of suspected staff member
- Short notice and after normal business hours

#### Diversion Oversight Committee –
- High level
- Ensures support and direction for program
- Data tracking over time

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Diversion Committee Membership

• Anesthesia
• Nursing
• Pharmacy
• Security
• Risk Management
• Quality/Safety
• Accreditation
• Chief Medical Officer or designee
• Compliance
• Infection prevention
• Human Resources
• Occupational Health
• Research
• Counsel
• Ad hoc

Important Elements

1. Policies to prevent, detect and properly respond to diversion
2. Shared responsibilities between key departments
3. Method of auditing – for all areas
4. Prompt attention to suspicious data
5. Collaborative relationship with external agencies
6. Education for all staff – transparency is essential
7. Regular diversion risk rounding

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Final Thoughts

A formal diversion program is essential for:
• Compliance
• Risk reduction
• Protection of staff, associates and the community

Q&A

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