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

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

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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

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Important Elements

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

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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