



MEDICAID FRAUD  
CONTROL UNIT

# Drug Diversion

Drug abuse is not just a problem confined to our streets and our schools. It can happen anywhere a person has a problem related to drug addiction. Frequently it can occur in places that may not readily come to mind for most people – our long term care facilities such as nursing homes and assisted living facilities. When caregivers in long term care facilities steal medications that were lawfully prescribed for the residents in their care, it is called *drug diversion*.

Drug diversion is a criminal act involving the unlawful obtaining and possession of regulated drugs known as Controlled Dangerous Substances (“CDS”) such as opioids or narcotics.

## Effects of Drug Diversion:

- It endangers the health of patients who do not receive the prescribed medications they need.
- It drains legitimate medical resources and is a waste of money.
- The cost to public and private health insurers is estimated to be 72.5 billion dollars a year.
- The act itself is a betrayal of trust to the victim, the victim’s family, and facility.

Determining when pain relieving medications have been diverted from the rightful recipients is often problematic. Long term care facilities use forms to record which medications have been given to residents according to the proper schedule. When the resident, due to his/her existing physical or mental disabilities, is unable to report that medications have not been administered, facility administrators may have to rely on the medication administration records alone. The person completing those records may be the same individual who is diverting the drugs for his/her own unlawful use. Occasionally the person diverting the medications prescribed for the resident will substitute some other type of medication in order to attempt to make the proper recipient think that he/she was given dosage that is rightfully due (e.g., giving the resident an acetaminophen tablet in place of the more effective, prescribed pain medication.)



*The most widely diverted and abused drugs within the long term care setting are opioids.  
Several of the most common opioid medications are:*

**Codeine  
Darvon**

**Demerol  
Dilaudid**

**Fentanyl  
Morphine**

**Oxycodone  
Vicodin**

Facility administrators and family members should be alert for signs of drug diversion. Some of those signs are as follows:

- **Complaints by the resident of medications not being administered**
- **Complaints of increased pain after pain medication was supposedly administered**
- **Erratic or irrational behavior by the caregiver responsible for administering pain medication**
- **Erratic or irrational behavior that is inconsistent with the norm for that resident**

The Maryland Office of the Attorney General's Medicaid Fraud Control Unit is hard at work protecting citizens from drug diversion in long term care facilities such as nursing homes, hospitals, residential group homes and assisted living facilities. Denying proper pain-relieving medications to vulnerable adults who need them is abuse. The Medicaid Fraud Control Unit is prepared to investigate allegations of drug diversion and to hold those people responsible for this crime accountable for any wrongdoing.

**If you suspect that you or someone you care about is the victim of drug diversion, you should notify the facility's director of your concern. You should also contact the Medicaid Fraud Control Unit of the Maryland Office of the Attorney General.**

**Contact Information**

**Maryland Office of the Attorney General  
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