



State of Maryland
 Office of the Attorney General
 Medicaid Fraud Control Unit
 200 St. Paul Place, Baltimore, MD 21202
 Phone: 410-576-6521

DRUG DIVERSION REPORTING FORM

FAX IMMEDIATELY TO: 410-576-6314

PLEASE PROVIDE THE FOLLOWING INFORMATION PERTAINING TO THE FACILITY/AGENCY:

Facility/Agency Name: _____
 Facility/Agency Address _____
 Facility/Agency Phone Number: _____
 Director of Nurses/Administrator: _____

PLEASE PROVIDE THE FOLLOWING INFORMATION PERTAINING TO THE POSSIBLE DIVERSION:

The Name of Each Drug Missing or Diverted, Including Quantity Missing If Known: _____

A Specific Date or Time Period of the Possible Diversion: _____

The Names of Any Potential Suspects: _____

Were one or more residents/patients directly affected by the drug diversion? Yes No

If yes, please identify each resident/patient below. _____

Briefly describe the events or incident leading to this report. (attach additional information if necessary) _____

Briefly note any further actions taken or other persons contacted by you or the facility/agency. (attach additional information if necessary) _____

Printed Name of Reporter: _____

Contact Number _____

Date _____

REPORTING OF SUSPECTED DRUG DIVERSION IN NURSING HOMES, RESIDENTIAL CARE HOMES, HOME HEALTH AGENCIES AND HOSPITALS

Drug diversion is a criminal act. It involves unlawful obtaining and possession of regulated drugs and it can endanger the health of patients who do not receive the medications they need or who are given other drugs as substitutes. It drains medical resources and wastes the money that pays for them.

Many painkillers, narcotics, and other drugs used in facilities are attractive to substance abusers. When someone takes, or dispenses these drugs, without a prescription, for purposes other than the medical or therapeutic needs of the residents or patients that is called "drug diversion." This can occur in many ways.

Some examples include:

- Stealing liquid morphine by falsifying records
- Using Medicaid recipient names and ID number to purloin drugs from a computerized dispenser
- Syringing morphine from a CADD pump at a nursing facility
- Substituting Lasix tabs for morphine at a nursing facility
- Stealing Oxycontin from facility
- Narcotics missing from locked safes or medical carts at a facility
- Taking narcotics directly from residents or clients, for example, by syringing Fentanyl out of Duragesic patches after they have been applied

Within 24 hours of the discovery of drug diversion in your facility you should notify the Attorney General's Office Medicaid Fraud Control Unit at (410) 576-6521. The attached form should be completed and sent either by fax or mail to the Attorney General's office. The fax number is (410) 576-6314.

- **The Office of Health Care Quality shall be contacted by someone from your facility.**(The OHCQ will get involved with any drug diversion cases that directly affects a resident/patient or which involve a narcotic systems failure within the facility or agency)

In addition, you shall notify the following agencies in the circumstances outlined below:

1. Board of nursing (if licensed nurse, or nursing assistant is suspected) Contact Robert Hauf, Investigator at (410) 585-1912.
2. Board of Physicians (if a licensed physician is suspected) Contact (410) 764-4777. The fax number is (410) 358-2252.
3. The pharmacy providing pharmaceutical services to the facility/agency.

IF YOU NEED A POLICE RESPONSE IMMEDIATELY, CONTACT YOUR LOCAL POLICE DEPARTMENT AS THEY CAN RESPOND ON A 24/7 BASIS. YOU MUST STILL REPORT THESE INCIDENTS TO THE OTHER AGENCIES AND DEPARTMENTS LISTED DURING REGULAR BUSINESS HOURS AS SOON AS POSSIBLE.

Note: If the suspected drug diversion involves parties other than staff (i.e. families, guardians, or friends, etc.) of a resident or patient this protocol would not apply. Those reports should be directed to your local police. If a vulnerable adult has been abused or neglected as a result of the diversion you should also report this to the Office of Health Care Quality.