

January 15, 2015

President David Serrano Sewell
Medical Board of California
2005 Evergreen Street, Suite 1200
Sacramento, CA 95815

Dear Mr. Sewell,

I am writing to urge Medical Board support for the mandatory use of the CURES prescription drug database.

The *Los Angeles Times* reported yesterday that federal DEA agents arrested Madhu Garg, a former physician whose license was revoked for substance abuse including meth, opiates, and benzodiazepines. According to the grand jury indictment, while she was a practicing physician, Dr. Garg was the supplier in a drug trafficking ring that transported drugs as well as forged or illegal prescriptions across state lines. Tens of thousands of prescription pills flooded the market, contributing to, in the words of acting U.S. Attorney Stephanie Yonekura, Los Angeles becoming a “major source” of prescription drugs being diverted to be sold on the street in the western United States.

Read the *Los Angeles Times* article here: <http://www.latimes.com/local/lanow/la-me-ln-prescription-drug-pill-mill-arrests-20150113-story.html>

Dr. Garg is just the latest case of a substance-abusing physician who becomes involved with selling prescriptions and drugs, either in trade or for cash to feed their addiction. For example, while Dr. Richard Wallrath of Bakersfield was on probation for “gross negligence,” he prescribed himself drugs like Ambien, Norco, and Vicodin, taking some for personal use and selling the rest. Dr. Jose Flores of Fresno surrendered his license after the Medical Board investigated his “gross negligence” and he admitted to abusing alcohol, cocaine, and amphetamines. The investigation found that Dr. Flores’ actions strongly suggested the ongoing sale, abuse, and inappropriate prescribing of narcotics. Then there was Dr. Brian Cable of Ukiah, who admitted a decade-long addiction to prescription painkillers who conspired with others to fill prescriptions and sharing the pills with them.

As you know, we already have a tool to curb the prescription drug epidemic: California’s prescription drug database, also known as CURES. I helped create the CURES database, which includes prescription information for Schedule II-III narcotics – the most addictive and powerful drugs that we have on the market today.

Unfortunately, CURES isn’t being utilized to its full potential by the Medical Board or the medical profession. Only 8% of prescribers are actually registered to use the system, leaving the vast majority of doctors with no way to determine if their patient needs drugs for medicinal or addictive reasons. The CURES database could have identified this known substance-abuser’s problem prescribing – nearly 10,000 prescriptions written in only 15 months, more than 80% of which were for hydrocodone, mostly at their maximum dosage.

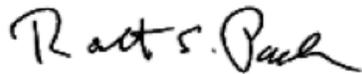
During the Medical Board's investigation of Dr. Garg's substance abuse, Medical Board investigators ran two CURES reports to determine if a physician had prescribed Vicodin to Dr. Garg – her drug of choice. However there's nothing in the Medical Board's accusation to suggest that CURES was ever used to investigate prescriptions *written by* Dr. Garg.

In order to catch substance-abusing physicians and take drugs off the streets, I urge the Medical Board to: (1) support mandatory use of the CURES database by prescribers and pharmacists when prescribing or dispensing a Schedule II-III narcotic; (2) Change enforcement procedures to check CURES for prescriptions written by a doctor when the doctor is accused of abusing drugs or other substances; and (3) require periodic checking of CURES for any irregularities (such as inappropriate prescribing or overprescribing) in prescriptions written by doctors who have been previously disciplined for substance abuse.

Other states have had enormous success in reducing doctor-shopping when implementing mandatory use of their state prescription drug database. If pharmacists were required to check CURES, Dr. Garg's pill mill would likely have been caught much earlier.

I know that the Medical Board has spent a lot of time discussing procedures to curb the prescription drug epidemic. Medical Board support for the mandatory use of CURES will go a long way to help take drugs off the streets, protect patients and identify impaired or drug-dealing doctors.

Sincerely,

A handwritten signature in black ink that reads "Robert S. Pack". The signature is written in a cursive, flowing style.

Bob Pack