



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Brown signs bill to curb Rx drug epidemic, save lives

SB 482 addresses “doctor shopping” that fuels prescription drug abuse

SACRAMENTO (Sept. 27, 2016) – Gov. Jerry Brown signed a Consumer Attorneys of California sponsored bill that will help curtail the nationwide epidemic of prescription painkiller abuse and save lives by reducing dangerous “doctor shopping.”

SB 482 by Sen. Ricardo Lara (D-Bell Gardens) will require that physicians check the state’s existing CURES pharmaceutical database before prescribing potentially addictive narcotics for the first time. In the past, such checks were voluntary. As recently as 2014, fewer than 5% of California prescribers had bothered to even register to use the database.

“Gov. Brown’s action will save lives by halting an unfortunate source of addictive prescription drugs – California’s own physicians,” said Lea-Ann Tratten, CAOC political director. “By checking the database to weed out doctor shoppers, our medical community will no longer be unwittingly helping to fuel this epidemic.”

“Overdoses claim tens of thousands of lives each year and more than half of those are attributed to abuse of opioid and prescription drugs,” Lara said. “With the governor’s signature, we will help prevent doctor shopping and work to curtail untimely deaths caused by drug abuse. I’ve met families across California who lost their mothers, fathers, sons, daughters and friends to the prescription drug abuse epidemic and it is truly heartbreaking. This law will play a critical role in curbing excess prescribing and keeping prescription drugs out of the hands of those who abuse them.”

The legislation was introduced in early 2015 but was bogged down by stubborn resistance from the California Medical Assn., which didn’t want a requirement placed on doctors to check if patients had already been prescribed prescription drugs prone to abuse.

“Too many doctors for too long refused to use this life-saving tool,” said Bob Pack, who helped promote and create the drug database. “Our medical community is better because of this legislation. Every doctor in California will have the information they need to safely prescribe potentially addictive drugs, curb the abuse crisis and prevent prescription tragedies.”

Pack lost his children, 10-year-old Troy and Alana, 7, in 2003 when they were hit and killed by a driver under the influence of prescription drugs and alcohol. He worked with former state Sen. Mark DeSaulnier to push through a 2012 bill to expand the CURES database and make it more accessible online and in real time. Although that bill initially included a requirement that doctors check the database, that provision was dropped due to opposition from the CMA and health care industry.

Consumer Attorneys of California has been working with Pack ever since to require that doctors used the database, including a failed ballot measure in 2014 and now SB 482.

Some two dozen states already require doctors to check similar databases, and the number is growing. Just this year lawmakers in Arizona, Maine, Massachusetts, New Mexico, Ohio, South Carolina and Wisconsin have added or expanded requirements to check prescription databases, and similar legislation has been proposed in Alaska, Maryland and Virginia.

Incidents of “doctor shopping” for multiple prescriptions have been reduced in those states by as much as 75 percent. Researchers at Johns Hopkins University and the federal Centers for Disease Control and Prevention are among the many experts calling for mandatory use of prescription databases.

In addition to the lives saved by cutting the incidence of addiction, SB 482 could potentially result in huge cost savings for the state by cutting down on health care costs and emergency responses in dealing with overdose deaths and other devastating societal costs caused by the current opioid epidemic.

When the measure goes into effect, physicians will be required to check the database before prescribing Schedule II, Schedule III or Schedule IV narcotics to a patient for the first time. If treatment continues, additional checks of the database will be required every four months.

SB 482 enjoyed a broad range of support, including the California Narcotic Officers Association, the national drug control group Shatterproof, the Medical Board of California, California Chamber of Commerce, Consumer Federation of California, Consumer Watchdog, the California Police Chiefs Association, the American Insurance Association and Small Business California. The editorial boards of the Los Angeles Times, Sacramento Bee and East Bay Times also support the bill.

It also earned overwhelming bipartisan votes of support in both houses of the Legislature, a fact that Consumer Attorneys’ Tratten said bodes well for future patient safety efforts.

“This is just a start,” Tratten said. “Much more needs to be done to boost our state’s patient protections.”

Consumer Attorneys of California is a professional organization of plaintiffs’ attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.

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