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Opioid strike force to go after docs who overprescribe

BY MATTHEW CHANEY

A federal task force devoted to prosecuting medical professionals who overprescribe opioids in Appalachia has begun operating in the Western District of Virginia.

The Appalachian Regional Prescription Opioid strike force began work late last year and has since charged 53 medical professionals, including 31 physicians for their alleged participation in the illegal prescribing and distribution of opioids and other dangerous narcotics. None of the 53 is in Virginia. The ARPO task force only expanded into western Virginia earlier this month.

"Historically, the Western District has punched well above its weight in prosecuting pill mill doctors," said Thomas T. Cullen, U.S. Attorney for the Western District. "But it's hard to overstate the weight that prosecuting a bad doctor has. When you take a bad doctor off the grid, it resounds across the district."

Cullen said that while the Western District is a relatively small one in terms of population, it has experienced more than its share of problems related to opioid addiction.

As a rule, he said his office's goal is to target offenders strategically and prosecute them. This means going after high-level drug trafficking organizations operating up and down the Interstate 81 corridor, but also targeting and prosecuting corrupt medical professionals. This includes bad-acting pharmacists, nurse practitioners and nurses, in addition to physicians.

The Western District covers the western part of the state and has seven divisions. Courts are located in Abingdon, Big Stone Gap, Charlottesville, Danville, Harrisonburg, Lynchburg and Roanoke.

Participating in the ARPO task force allows Cullen's office access to resources provided by other federal agencies such as the Health Care Fraud Unit in the Criminal Division's Fraud Section, the FBI, the Health and Human Services Office of the Inspector General and the U.S. Drug Enforcement Administration.



CULLEN

Cullen said one of the primary resources the FBI offers is access to data analytics to help target outliers such as high-volume prescribers and high-volume pharmacies. He said by analyzing data about the volume of prescriptions relative to population size in any particular area, his office can more quickly determine potential targets for investigation.

"We have intelligence analysts on the strike force to come up with a target list of people that need to be investigated," he said.

In addition, participation in the ARPO strike force gives Cullen's office extra manpower to work as prosecutors on opioid-related cases.

"Hopefully this will lead to more of these cases going to trial," he said.

Ultimately, Cullen said his goal with the task force is to prevent medical professionals who "may not be completely rogue, but operating on the margins" to cut back on prescribing, and, in turn, reduce the number of people addicted to opioids and the number who die by overdosing.

"We're doing everything we can to get our arms around this problem," Cullen said. "Law enforcement must be part of the solution, and I'm doing what I can to get us resources to combat the issue."

Lauren Bates-Rowe, assistant vice president of health policy for the Medical Society of Virginia, said that her organization supports the efforts of federal prosecutors to go after physicians who may commit crimes.

"We're committed to helping the state go after bad actors," she said. "That's not medicine."

She said that while her organization supports the law enforcement efforts, it is also up to organizations such as hers to educate medical professionals about how to appropriately prescribe prescription painkillers.

The MSV supported the creation of prescribing regulations which carry the force of

law in 2016. She said that in the first year after regulations went into effect, there was a 40% decrease in the number of opioids that were prescribed in the state.

"We're seeing prescribing come down in all the right ways," she said. "Physicians take this very seriously."

Richmond lawyer Gerald C. Canaan has defended physicians charged by the Virginia Board of Medicine with acting unethically in overprescribing prescription opioids for the past 10 years. He said that the task force is just another example of federal law enforcement utilizing all of the resources at its disposal to fight the opioid crisis.

"The ARPO task force is just one of many across the country," he said. "It doesn't surprise me they're moving into Southwest Virginia, which is a problem area in the state."

Canaan said it is important to note that not everyone who overprescribes is a criminal.

"I represent a lot of people that mean well and for whatever reason got sideways and didn't realize what the current standard of care is," he said. "But the [Virginia Board of Medicine] has done a fantastic job balancing the proper punishment for people who are a little off base versus the pure pill pushers."

While it is important that physicians who do wrong be held accountable, both criminally and by other physicians, Bates-Rowe said it is equally important to not just end illegal access to opioids, but to also treat the causes of addiction. She talked about MSV's support for Virginia's Medicaid Addiction and Recovery Treatment Services program, which has increased access to substance abuse treatment for people on Medicaid.

Julia K. Chipko, the assistant director of marketing for MSV, said in an email that in the first year of its existence, Medicaid saw an increase of almost 60% in addiction treatment services, a 29% decrease in the number of opioid prescriptions and a 31% decrease in opioid-related visits to emergency rooms. This, in turn, has reduced demand for pills and saved the state money.

"Physicians are committed to leading the way out of this epidemic," she said. "We truly care about patients and the communities we serve."