Drug Conviction Data in KASPER: What’s an APRN to do?

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Disclosures
We have nothing to disclose.

Learning Objectives: Part 1

• Discuss implications of SB 32 (2017) that made drug conviction data available in KASPER effective July 1, 2018
  • Describe SB 32 detail
  • Discuss results of prescriber and dispenser survey on intent to utilize the drug conviction data feature in KASPER
  • Review current data on use of feature and % of time drug conviction data returned in a KASPER report

SB 32 (2017)

• Amended KRS 218A.202 to require the Administrative Office of the Courts to forward drug conviction data to KASPER
  • Includes felony or Class A misdemeanor conviction for the previous five (5) calendar years
  • Query by patient name shall indicate any prior drug conviction
  • Effective July 1, 2018

BJA Grant Award

• Awarded under BJA’s Comprehensive Opioid Abuse Site-based Program (COAP)
  • Data-driven Responses to Prescription Drug Misuse in Kentucky (2017-PM-BX-K026)
  • Continues ongoing work relative to analyses of KASPER and other data
  • Provides funding for research in two new areas as a result of legislative and regulatory changes in 2017
    • Scheduling of gabapentin (902 KAR 55:035)
    • Drug conviction data available in KASPER (SB 32)

Objective 1: Evaluate the impact of SB 32 on prescriber and dispenser behaviors
  • Stakeholder interviews
  • Law intent and implementation
  • Used to inform survey development
  • Survey of prescribers and dispensers
  • Awareness and perception of the law
  • Perceived impact on prescribing and dispensing behaviors

Objective 2: Develop and deliver continuing education for prescribers and dispensers
  • Content and interpretation of drug conviction data in KASPER

Two Primary Objectives of Grant
SB 32 Survey Methodology

Survey developed by research team with input from state partners
Survey piloted by prescribers and pharmacists in late May
Survey distributed electronically by licensure boards
Data collected June 4 - June 25
Responses received from:
- 2194 prescribers
- 1022 MDs
- 768 APRNs
- 404 DMDs
- 1243 ‘dispensing’ pharmacists

APRN Respondent Gender and Practice Setting

Prior to taking this survey, I was aware that beginning July 1, 2018, drug conviction data were going to be available upon KASPER query.

APRN Awareness of Law

APRN Views: Having Access to Drug Conviction Data will Assist in Making Dispensing Decisions
Having access to drug conviction data in KASPER will assist in making CS prescribing/dispensing decisions

APRN Intention to Request Drug Conviction Data

After July 1, 2018, do you intend to request drug conviction data to use in your treatment decisions?

APRN Intention: When do you intend to request drug conviction data with your KASPER queries?

APRN Responses: Specific Circumstances

Under what circumstances do you anticipate using KASPER's drug conviction data retrieval feature?
Suspicious behavior or ‘red flags’ such as lost medication MD (n=272) APRN (n=248) DMD (n=120) RPh (n=428) 0.1 0.2 0.3 0.4 0.5 0.6 0.7 0.8 0.9 1 0 Under what circumstances do you anticipate using KASPER’s drug conviction data retrieval feature? Suspicious behavior or ‘red flags’ such as lost medication Patient unknown to me High morphine milligram equivalent dosing When concerns are raised after viewing a KASPER report

Vignette

You are planning to prescribe a Schedule II opioid analgesic for acute pain in a patient new to your practice. As part of your routine procedures, you request a KASPER report and the returned prescription history raised no concerns. However, you also clicked the button to receive any drug conviction data for the past 5 years from the AOC and in response to your query, the following information is returned:

- Date of KASPER Query: 05/14/18
- Case number: 13-CR-00074
- Charge Disposition Date: 07/14/2013
- Charge County: Boyle
- Charge disposition type code description: Guilty
- UOR Description: Possession Schedule II opioid with intent to sell, 1st offense

Based on the above information, what course(s) of action would you take?

APRN Actions: Vignette

Prescribe the opioid
Prescribe a non-opioid alternative
Speak with the patient about their drug conviction history
Discuss patient from practice
Refer to a pain management specialist
Contact the administrative office of the courts for additional information
Sending Email
I am unsure of my course of action as I do not know how to appropriately consider drug conviction data in the context of patient care

Which of the following statements are relevant to your decision to prescribe a Schedule II opioid for acute pain to someone with this conviction history?

- The conviction was a first offense
- Drug conviction data is irrelevant to my treatment decisions
- Drug conviction data is irrelevant when considering treatment of acute pain
- The conviction occurred almost 5 years ago

APRN (n=36)

APRN (n=712)

Conclusions

- Few respondents aware of the law prior to taking the survey
- APRNs believe drug conviction data will assist in making dispensing decisions and the majority intend to use the data with every query
- More prescriber respondents indicate they will request with every query compared to pharmacists
- When presented with a vignette, most APRNs would prescribe an alternative medication
- Many would also discuss the conviction with the patient
- Continuing education designed to improve understanding and interpretation of drug conviction data within the context of patient treatment and dispensing of controlled substances is needed

Which of the following statements are relevant to your decision to pursue a course of action other than prescribing the opioid?

- The fact that the KASPER query returned a drug conviction history of any type
- The specific charge was possession with intent to sell
- The specific charge was opioid-related
- The patient was not known to me

APRN (n=617)

Other

3/5/2019
Results from KASPER

June 28, 2018 - October 31, 2018

- Total eKASPER Report Requests: 4,496,514
  - Where the AOC Data was Requested: 363,936 (8.1%)
  - Where Patient Information was Requested: 4,156 (1.1%)
  - Where Patient Information was NOT Requested: 359,361 (98.7%)

- Total Requests for AOC Data where Unable to Connect to AOC: 416 (0.1%)

Results from KASPER

November 01, 2018 - February 25, 2019

- Total eKASPER Report Requests: 4,059,719
  - Where the AOC Data was Requested: 354,007 (8.7%)
  - Where Patient Information was Requested: 3,961 (1.1%)
  - Where Patient Information was NOT Requested: 349,589 (98.8%)

- Total Requests for AOC Data where Unable to Connect to AOC: 457 (0.1%)

Learning Objectives:

Part 2

- Describe example drug conviction data and describe its content and interpretation
- Describe the types of drug-related charges in Kentucky
- Discuss the nuances of interpreting drug conviction data
- Using practice vignettes, interpret example drug conviction data

Arrests in Kentucky by Crime Type, 2016


Drug Offenses

- Possession
  - Marijuana
  - Controlled substance 1st, 2nd, or 3rd degree
- Trafficking
  - In controlled substance in or near a school
  - In marijuana
  - In synthetic marijuana
- Importing heroin, fentanyl, or fentanyl derivatives
- Marijuana cultivation
- Possession of methamphetamine precursors
- Manufacturing methamphetamine
- Possession of drug paraphernalia
Possible Request Responses

- Positive – Patient was positively identified and drug conviction data was found. User message on page 1 of the report: "AOC CourtNet drug conviction data for this patient is included in this report."

- Negative – Patient could not be positively identified in CourtNet. User message on page 1 of the report: "No AOC CourtNet drug conviction data was found for this patient."

- Patient Match Ambiguous – Multiple uniquely identified patients were found in AOC data that matched the parameters provided. User message on page 1 of the report: "The patient information matched multiple individuals in the AOC CourtNet system. No results can be provided for this patient."

- Connection Error - issues such as an error/timeout or network connectivity issue occurred when making the call to CourtNet. User message on page 1 of the report: "Unable to connect to the AOC CourtNet system."

Drug Conviction Data Returned

- Charge
- Charge date
- County
- Disposition
- Disposition date
- Sentence (this field included values starting with "Prison" or "Probated", etc.)
What Do Reported Dates Mean?

Offense Date

Charge Date

Arrest Date

Release Date

Sentence Date

Charge
Charge date
County
Disposition
Disposition date
Sentence

Let’s Apply What We Just Learned
Practice Vignette #1

Practice Vignette #2

Practice Vignette #3

Learning Objectives: Part 3

- Identify the limitations of drug conviction data
- Identify strategies for making sound controlled substance prescribing decisions

Strategies for Making Sound Prescribing Decisions

Data are difficult to interpret
Temporal relationship between original charge date and conviction date may limit present day relevance
Data may introduce/reinforce stigmatizing behavior among healthcare providers
Data may result in chilling effect on prescribers

What other limitations do you see? What other concerns do you have?

What strategies do you use?
Next Steps

CE program to be presented at professional association meetings

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Online programming also under development

| KMA   | Others |

Questions?