

**CITY OF BALTIMORE
COUNCIL BILL 11-0292R
(Resolution)**

Introduced by: Councilmembers Holton, Middleton, Kraft, Branch, Henry, Clarke, Welch,
Spector, Reisinger, Curran, Cole, Conaway

Introduced and read first time: May 23, 2011

Assigned to: Health Committee

REFERRED TO THE FOLLOWING AGENCIES: Health Department, Police Commissioner, Baltimore
Substance Abuse Systems, Inc.

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Informational Hearing – Prescription Drug Monitoring Program –**
3 **Baltimore City Participation and Utilization**

4 FOR the purpose of requesting the Commissioner of Health and the Police Commissioner to brief
5 the Council on the anticipated impact of the State’s Prescription Drug Monitoring Program
6 on prescription drug abuse among the City’s addicted and at-risk populations; on the
7 recognition and treatment of prescription drug abuse as a primary or secondary addiction;
8 and on law enforcement identification and apprehension of those who dispense as well as
9 those who abuse prescription drugs.

10 **Recitals**

11 Prescription drug abuse is a growing problem in the United States and has been attributed, in
12 part, to the increased availability of prescription drugs. State prescription drug monitoring
13 programs (PDMPs) address the problem by requiring pharmacies to log each prescription filled.
14 According to the U.S. Department of Justice, when the State’s Prescription Drug Monitoring
15 Program (PDMP) goes into effect in October 2011, Maryland will join 34 other states that now
16 have operational PDMPs and 9 states and 1 U.S. territory, Guam, that have enacted legislation to
17 establish a PDMP but are not fully operational.

18 Maryland’s PDMP, passed by the 2011 General Assembly and signed into law by the
19 Governor earlier this month, establishes the PDMP within the Department of Health and Mental
20 Hygiene to monitor the prescribing and dispensing of all Schedule II through V controlled
21 dangerous substances. For each monitored prescription drug dispensed, a dispenser must
22 electronically submit data to PDMP in accordance with regulations adopted by the Secretary. In
23 addition, the bill establishes an Advisory Board on Prescription Drug Monitoring that must make
24 recommendations to the Secretary relating to the design and implementation of the program,
25 including regulations, legislation, and sources of funding. Law enforcement officers will be able
26 to get a subpoena to access the information and investigate when probable cause is established.

27 Health officials have long pushed for a monitoring program for prescription drugs – a similar
28 measure passed in 2006, but was vetoed – recognizing that prescription drug abuse in Maryland
29 is increasing at an alarmingly rapid rate. Prescription for Disaster: The Growing Problem of
30 Prescription Drug Abuse In Maryland, September 2005, State of Maryland Office of the

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

Council Bill 11-0292R

1 Attorney General reports that prescription drug abuse is increasing more consistently and
2 dramatically than illegal substance abuse, particularly in the narcotics analgesics category.
3 “Overall illegal drug abuse did not change significantly between 2002 and 2003, and the use of
4 some specific drugs declined, e.g., Ecstasy past year use rates fell from .3% to .2% and
5 hallucinogen past year users fell from 4.7 million to 3.9 million. The number of lifetime non-
6 medical users of pain relievers rose, however, from 29.6 to 31.2 million. Emergency department
7 episodes involving narcotic pain relievers increased 45% between 2000 and 2002.”

8 Statistics show that the problem continues to escalate: “A Comprehensive Approach to
9 Prescription Drug Abuse and Diversion: Prescription Drug Monitoring Program Fact Sheet,
10 DHMH, – Prescription Drug Use in Maryland:

- 11 • The percentage of prescription-drug-related admissions to Alcohol and Drug-Abuse
12 Administration-funded treatment programs doubled between FY 2007 and FY 2011.
- 13 • Admissions for opiate-painkiller abuse increased 96% from FY 2007 to FY 2010, and
14 by 124% as the primary reported substance-of-abuse. Benzodiazepines-related
15 admissions also increased by 96% over these four years.
- 16 • Overdose deaths involving prescription opiates other than methadone increased by
17 more than a third from 2007 to 2009, going from 20% to 30% of all intoxication
18 deaths.
- 19 • In FY 2010, half of benzodiazepine and 60% of opiate painkiller-related admissions
20 were under the age 18 or in their twenties.”

21 Joined in a roundtable discussion with the nation’s Drug Czar, and State Health and Law
22 Enforcement stakeholders, the Governor said of Maryland’s new PDMP: “Public safety is among
23 our most solemn obligations as public servants, and preventing the abuse of prescription drugs –
24 the fastest growing drug problem in Maryland – is a big part of our strategy to protect Maryland
25 families. Thousands of Marylanders every year are suffering from the scourge of addiction. Our
26 new program will link public health and public safety systems to know down the silos that
27 currently block information-sharing and provide the knowledge that is essential to the health and
28 well-being of the people of our state.

29 In May of last year, the White House announced that the federal government is expanding
30 prescription drug monitoring programs and will link state systems as part of a national strategy
31 to tackle America’s drug problem of an estimated 20 million Americans currently using drugs
32 illegally. As participants in the inaugural implementation of Maryland’s new PDMP, Baltimore
33 City has an unprecedented opportunity to access state and federal resources to dramatically
34 impact our intractable drug abuse problem.

35 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the
36 Commissioner of Health and the Police Commissioner are requested to brief the Council on the
37 anticipated impact of the State’s Prescription Drug Monitoring Program on prescription drug
38 abuse among the City’s addicted and at-risk populations; on the recognition and treatment of
39 prescription drug abuse as a primary or secondary addiction; and on law enforcement
40 identification and apprehension of those who dispense as well as those who abuse prescription
41 drugs.

Council Bill 11-0292R

1 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Mayor, the
2 Health Commissioner, the Police Commissioner, the President of Baltimore Substance Abuse
3 Systems, Inc., and the Mayor's Legislative Liaison to the City Council.