

# NEWS BITES

MAY 2020

## LAPPA NEWS

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### **ODMAP Model Law and Guidance Document**

LAPPA recently published its Model Overdose Mapping and Response Act, a model law designed for policymakers to use in developing statewide legislation addressing overdose incident reporting. The Model Act requires a state (or other jurisdiction) to create an overdose mapping and response system using ODMAP (the Overdose Detection and Mapping Application Program developed by the Washington/Baltimore High Intensity Drug Trafficking Areas) where all law enforcement officers, other first responders, medical examiners, and coroners must report certain information about a confirmed or suspected overdose incident within 24 hours. To access the model law, visit [here](#).

In conjunction with the Model Overdose Mapping and Response Act, LAPPA also released a guidance document that analyzes the extent to which the use of ODMAP implicates the protections for health information contained in the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). To access the guidance document, visit [here](#).

### **One-on-One With LAPPA**

LAPPA is excited to announce that the first installment of its podcast series, *One-on-One With LAPPA*, is available. In this episode, Aliese Alter, Senior Program Manager, Washington/Baltimore HIDTA (W/B HIDTA) is interviewed about the Overdose Detection and Mapping Application Program (ODMAP). The W/B HIDTA developed ODMAP to provide near real-time surveillance of known or suspected overdose incidents across the United States and to support public safety and public health efforts to collaborate and mobilize immediate responses to those incidents. The W/B HIDTA provides *no cost access to ODMAP* to federal, state, local and tribal law enforcement, other licensed first responders, criminal justice personnel, emergency rooms and hospital personnel, and other public health entities serving public safety and public health interests.

The podcast includes the following information about ODMAP:

- How it works;
- The overdose incident spike alert system;
- Statewide adoption;
- The legal implications of sharing health information; and
- Emerging issues since the onset of COVID-19.

To listen to the podcast click [here](#).

## COVID-19 Resource

LAPPA recently published a fact sheet on COVID 19 that focuses on changes to policies and guidelines for treating substance use disorders during the novel coronavirus pandemic. The document addresses access to medication-assisted treatment, in-patient and out-patient treatment services, and harm reduction and can be accessed [here](#).

## New Staff

LAPPA is pleased to welcome Heather Gray, Esq. to its team. A former senior research associate with the Institute for Intergovernmental Research (IIR), Ms. Gray worked on the Bureau of Justice Assistance (BJA) Comprehensive Opioid Abuse Program, supporting the Prescription Drug Monitoring Program Training and Technical Assistance Center (PDMP TTAC). Prior to her work at IIR, Ms. Gray served as a consultant on legal and legislative matters, as well as drafting and editing materials and consulting on various matters regarding alcohol, controlled substances, health care, and criminal justice.

## IN THE NEWS

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### **Director of the Office of National Drug Control Policy Pens Op-Ed on White House Fight Against Addiction**

Jim Carroll, the Trump Administration's Director of the Office of National Drug Control Policy, recently authored an Op-Ed that was published in the *Washington Post*. In the article, Director Carroll outlines the steps the President is taking to enable the 22 million Americans struggling with addiction to be able to continue to receive the services they need during the COVID-19 pandemic. Patients with substance use disorder are uniquely vulnerable to relapse if their treatment is disrupted, but the physical requirements associated with receiving treatment – such as waiting in line at a clinic to receive treatment medications – put patients in danger of contracting the novel coronavirus. The Trump administration is actively working to identify federal laws and regulations currently in place that may impede treatment if enforced during the current pandemic. New options are being made available such as expanded telehealth programs, and regulatory changes are being implemented such as reducing the requirements for in-person physical exams prior to entering a drug treatment protocol. Under the President's direction, the federal government has also granted exceptions for patients in treatment programs that enable those patients to receive up to 28 days' worth of take-home doses of their treatment medication, provided the patient's provider deems the patient to be stable and capable of safely self-administering his or her medication at home. To read the full article, visit [here](#).

### **Demand for Fentanyl Increasing**

According to recently collected data, New Jersey and New York City currently have a ten-day supply of the painkiller fentanyl, a powerful drug that has become a major player in this country's war on opioid addiction. Known as a substance that has killed people in record numbers, it has now become critical in the fight to save lives in hospitals. The COVID-19 pandemic has been accompanied by an unfathomable increase in ventilator use, and many COVID-19 patients remain on ventilators well past the previous average number of days, sometimes staying on the life-saving machine as long as two to three weeks. Fentanyl is used to keep these patients sedated while they are on ventilators, and with thousands of patients on ventilators, use of the substance is up 300 percent in the New York/New Jersey area. Depletion of the nation's fentanyl is becoming a growing issue of concern, and legislators have taken notice, introducing legislation that will encourage the manufacture of active pharmaceutical ingredients (such as those in fentanyl) in America. To read the full article that appeared in *NJ Spotlight*, visit [here](#).

## **New Drug of Abuse Emerges**

Loperamide is a popular FDA-approved, over-the-counter drug considered to be a safe and effective treatment of diarrhea. The substance is classified as a type of synthetic opioid, and in proper doses, its effects are restricted to the gastrointestinal tract. However, stories are beginning to emerge about the misuse and abuse of loperamide. When a larger-than-recommended dose is ingested, the medication can cause opioid-like effects and can ultimately result in adverse, sometimes life-threatening cardiac effects. The American Pharmacists Association reports that loperamide abuse began to surge in 2010, and results from a recent study show that overdoses have steadily been increasing both in number and severity over the last five years. The FDA issued a warning in 2016 about cardiac problems associated with high doses of loperamide, and the agency urged users to follow dosing instructions on packaging. In 2018, the FDA requested that manufacturers of products containing loperamide alter and update their packaging to include safe use information on labels. Most recently, the FDA approved changes to packaging and package limits, including having no more than 48 milligrams of loperamide per package and requiring tablets to be packaged in individual doses. There are currently no treatment protocols for loperamide abuse, so educating patients and identifying early signs of abuse are key to preventing loperamide toxicity and other dangerous side effects. To read the full article in *Pharmacy Times*, please visit [here](#).

## **Syringe Exchange Programs Classified as “Life-Sustaining”**

Twenty syringe exchange programs operating across the state of Pennsylvania have been deemed life-sustaining and are permitted to remain open during the state’s coronavirus shutdown, even though these programs are operating illegally. Advocates for exchange programs are hopeful that this move signals that the commonwealth is ready to seriously consider legalizing sterile syringe programs. Syringe exchanges are legal in more than 24 states, and although bills to legalize these programs have been introduced in Pennsylvania, they have never passed. Exchange programs typically serve people who inject drugs, but recently, more sterile pipes and mouthpieces for those who smoke marijuana are being handed out due to concerns about the transmission of COVID-19 through saliva. Staff at the exchange centers are taking precautions with social distancing and use of protective gear with a focus and desire to keep services available for those who need them.

## **Opioid Prescriptions Falling in Ohio**

A new report from the Ohio Board of Pharmacy showed a measurable decline in opioid prescriptions dispensed within the state – this marks the seventh year in a row that a decline has been registered. The data summarized in the report comes from the State of Ohio Board of Pharmacy’s Ohio Automated Rx Reporting System (OARRS) and showed that total doses of opioids decreased from a high of 793 million in 2012 to 415 million in 2019, a 48 percent decrease. More prescribers are using the state’s reporting system, and with that expanded use comes a decrease in doctor shopping behavior, which according to the Board of Pharmacy is near an all-time low in the state. To read the full press release from the Ohio Board of Pharmacy, visit [here](#).

## **Opioid Vending Machines**

A pilot project in Canada is testing an opioid vending machine that dispenses safe doses of hydromorphone to individuals with opioid use disorder. The initiative, which is part of the MySafe harm reduction project is aiming to determine whether it can reduce overdose deaths from illicit use of fentanyl and heroin. Claimed as the world’s first biometric opioid dispensing machines, MySafe devices scan the internal vein pattern in a person’s palm to verify identity; the machines weigh 800 pounds and are bolted to the floor to prevent theft and tampering. The machines dispense dosed hydromorphone tablets to pre-screened, registered patients who can receive up to four doses per day. There are currently 15 registered users, all deemed to be at high risk of fentanyl overdose, and the project team is hoping to expand the project soon into known high-risk areas. To read the full article about the pilot project, visit [here](#).

## Companies Using a “Super Poppy” to Manufacture Opioids

The Johnson and Johnson family of companies is a giant in the pharmaceutical industry and is known not only for decades of innovation but also for becoming the leading maker of narcotic substances used to manufacture opioids. This dominance was achieved in part through a unique partnership with farmers in Tasmania, Australia. In the mid-1990s, scientists down under altered the genetics of thousands of plants to create a so-called “super poppy” that was grown by Tasmanian farmers and then exported to the United States where a Johnson and Johnson subsidiary refined the poppies into oxycodone and hydrocodone that was shipped in powder form to pill manufacturers all over the country. Poppy plants have been cultivated in Tasmania for decades, but it was not until the emergence of the super poppy that the flowers became a booming cash crop that would end up providing the world with the raw material to manufacture millions and millions of opioid painkillers. Though growing the poppies is risky due to their potency, farmers were offered various incentives to produce them, so many competed with one another to cultivate the best crop of super poppies. Over the last decade, import quotas and increased regulatory efforts in the U.S. have drastically reduced demand for the product, and Johnson and Johnson ultimately put its Tasmanian subsidiaries up for sale. As a direct result, poppy fields on the Australian Island have shrunk, leaving farmers to wonder how their agricultural efforts contributed to a worldwide drug epidemic. To read the full *Washington Post* article please visit [here](#).

## Adjusting Brain Receptors Can Control Binge Drinking

According to the Centers for Disease Control and Prevention, one in six American adults binge drinks about four times per month, consuming approximately seven drinks per binge. This binge behavior dramatically increases the risk of developing alcohol use disorder, and researchers have been working to determine ways to disrupt binge drinking behavior. One recent study published in the journal, *Neuropharmacology*, concluded that deactivating the opioid receptor system in a person’s brain, can result in a noted decrease in binge drinking behavior. The opioid receptor system is well-known in the addiction field, and drugs like morphine, heroin, and oxycodone act on that part of the brain to produce the pleasurable effect that makes those drugs addictive. Using mice that were forced to “binge drink,” researchers introduced a drug that blocks opioid receptors resulting in diminished voluntary alcohol consumption. The study’s authors concluded that it might be possible to control the urge to binge drink in humans through such opioid receptor medication. To read the full study, click [here](#).

## Generic Buprenorphine Approved by the FDA

Amneal Pharmaceuticals recently received approval from the U.S. Food and Drug Administration for a generic version of Butrans transdermal system (buprenorphine). The pharmaceutical company was additionally granted what is termed a Competitive Generic Therapy (CGT) designation and 180 days of exclusivity for its 7.5 microgram per hour dose. Amneal proceeded to initiate commercialization of all dosages of its buprenorphine transdermal dosages, which are indicated for management of pain that is severe enough to require daily, around-the clock, long-term opioid treatment. According to a leading health care data and analytics provider, annual sales for Butrans for the 12-month period ending in February 2020 was approximately 225 million dollars in the United State alone.

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**Arkansas:** The University of Arkansas for Medical Sciences, in collaboration with the Duke Clinical Research Institute, has received a one million dollar federal grant for two clinical studies that will study infants with Nows (neonatal opioid withdrawal syndrome). One study will evaluate an approach called “Eating, Sleeping, and Consoling,” testing the effectiveness of the approach in caring for Nows infants, and the other will examine a rapid schedule of weaning Nows infants from opioid replacement therapy.

**Delaware:** A new tax on opioid painkillers in Delaware has generated almost one million dollars that will go to support abuse prevention and treatment programs throughout the state. A new law imposed a per-pill tax on opioids ranging from a few cents per pill to more than a dollar, based on strength of the medication and whether it is brand name or generic.

**Maine:** A new law in Maine exempts the need for prior-authorization for medication-assisted treatment for opioid use disorder (OUD). Overdose deaths in Maine remain high and the law is intended to provide immediate access to medications approved to treat OUD.

**Massachusetts:** Eleven Massachusetts police departments have been selected to participate in a pilot program aimed at distributing fentanyl test strips to help decrease the number of overdose deaths in the commonwealth. The three-month pilot project is being made possible by a \$150,000 grant from the Massachusetts Department of Health.

**Michigan:** As is the case throughout the U.S., addiction experts are warning that strict stay-at-home orders may be a trigger for people living with substance use disorders. Isolation, job loss, and other consequences of extreme social distancing can trigger relapse. Therefore, organizations in Michigan are working to make sure that people can get an unlimited supply of naloxone mailed directly to their homes for free.

**New York:** Overdoses from drugs of all kinds are on the rise in parts of Western New York. Much of the blame is being placed on fentanyl-laced heroin, though dangerous levels of fentanyl are popping up in other drugs such as cocaine, methamphetamine, and benzodiazepines. State authorities are asking businesses that are open and still being visited by the public to consider installing naloxone boxes that can be accessed by the public in the event of an overdose.

**Utah:** Two children were hospitalized after eating THC-infused Nerds candy ropes that were distributed to their families at a food bank. The packages were labeled as “Medicated Nerds Rope” and each contained 400 mg of THC.

## ABOUT LEGISLATIVE ANALYSIS AND PUBLIC POLICY ASSOCIATION

The Legislative Analysis and Public Policy Association (LAPPA) is a 501(c)(3) nonprofit organization whose mission is to conduct legal and legislative research and analysis and draft legislation on effective law and policy in the areas of public safety and health, substance use disorders, and the criminal justice system.

LAPPA produces up-to-the-minute comparative analyses, publications, educational brochures, and other tools ranging from podcasts to model laws and policies that can be used by national, state, and local criminal justice and substance use disorder practitioners who want the latest comprehensive information on law and policy. Examples of topics on which LAPPA has assisted stakeholders include naloxone laws, law enforcement/community engagement, alternatives to incarceration for those with substance use disorders, medication-assisted treatment in prisons, and the involuntary commitment and guardianship of individuals with alcohol or substance use disorders.

For more information about LAPPA, please visit: <https://legislativeanalysis.org/>.

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