

A diverted or stolen prescription has been signed in your name. What do you do now?

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For a busy clinician, learning that a prescription pad has been stolen, submitted with a counterfeit signature, and used to acquire a controlled substance comes as a shock. It evokes a sense of betrayal and raises a number of medico-legal issues that can be avoided if you know how to protect yourself.

Prescription pad security

One of the simplest ways to reduce prescription pad theft is to lock the pads in a secure location when the office is closed.¹ Establish and maintain an inventory of prescription pads; you should number and count pads weekly. For Schedule-II controlled substance prescription pads, document the control number on each new pad.¹ The best way to ensure that all pads are accounted for is by using sequential numbering similar to bank check numbers.

Do not allow staff to sign your prescription pad. Limit access to prescription pads to authorized personnel; be sure that they keep the prescription pad in their pocket, not on their desk or a counter, and not in examining rooms, where they could be stolen. For electronic prescribing, always lock the drawer where the computer prescription paper sits.¹

Some physicians might find it helpful to invest in tamper-resistant prescription pads. As of April 2008, the Centers for Medicare and Medicaid Services mandates that for a prescription pad to be considered tamper-resistant it must include 1 or more industry-recognized features designed to prevent unauthorized copying, erasure, or modification of prescriptions.²

When you order prescription pads, do not print your Drug Enforcement Administration

(DEA) number on the pads. Also, check that your printer maintains strict process controls over prescription pad production, storage, and delivery.¹

Other ways to prevent fraudulent prescriptions include using a gel pen to write prescriptions, because these pens contain pigments that are quickly absorbed, preventing ink from being washed away with chemical solvents.¹ Never leave blank space on a written prescription and do not sign blank prescription pads beforehand.³ Write instructions clearly on each prescription, informing pharmacists of ways to verify the prescription's authenticity.

Legal responsibilities

In case your prescription pads are stolen, even after taking precautionary measures, make the following actions to report and record fraudulent charges:

- If your prescription pads for Schedule-II medications—known as “triplicates”—are missing, give the control number of the first and last prescription in the pad to your state’s pharmacy organization. Some states have an electronic alert system to aid with filing a fraud claim (eg, the Texas Pharmacy Association has a section on its Web site for reporting prescription fraud and theft).
- Immediately inform the local police department and local DEA office of the theft.³ Keep a copy of all communications for future reference.
- If a pharmacy alerts you that a fraudulent prescription has been filled using one of your pads, request a copy of each filled prescription. Keep these records and file a copy with the police department and DEA.

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Disclosure

The author reports no financial relationships with any company whose products are mentioned in this article or with manufacturers of competing products.

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