

Georgia PDMP

Understanding Your Responsibilities

Delegate Training

January 2018



Objectives

1. This training is intended for persons who have been designated by a doctor or pharmacist to act as “delegates” to access Georgia’s **Prescription Drug Monitoring Program (PDMP)** for the purpose of looking up a patient’s prescription history.
2. It is designed to help you understand your responsibilities as a delegate under the laws that govern the PDMP.
3. There is a short test to gauge how well you have understood the material.

What is the PDMP?

- The **Prescription Drug Monitoring Program (PDMP)** is a database, organized by patient name, that details every prescription drug order that is filled in Georgia.
- Individuals authorized to access the PDMP can review a patient's entire prescription history for the previous two years.
- The prescription information in the PDMP is kept current – it will display information on prescriptions filled within the past 24 hours.
- The PDMP displays information on **all** prescriptions, including opioids.

How Do I Access the PDMP?

- The PDMP is accessed through a secure online portal that requires a user name and password.
- The PDMP is managed by the Georgia Department of Public Health.

Note:

For general questions about the PDMP, contact the Georgia Department of Public Health PDMP staff at 404-463-1517 or email pdmp.support@dph.ga.gov.

For technical assistance, contact Appriss at 1-855-542-4767 for assistance.

What is the Purpose of the PDMP?

The PDMP was created in 2011 to achieve several purposes:

- To assist in reducing the abuse of controlled substances;
- To improve, enhance, and encourage a better quality of health care;
- To promote the proper use of medications to treat pain and terminal illness; and
- To reduce duplicative and overprescribing of controlled substances.

The PDMP achieves these purposes by giving complete and up-to-date information to doctors and pharmacists about the prescription medications that their patients have been taking.

PDMP Delegates

- Doctors and pharmacists are authorized by law to look up their patients' prescription history on the PDMP. They are also allowed to designate a limited number of persons to access the PDMP on their behalf.
- These individuals are called “**Delegates.**”
- The law limits the purposes for which a delegate can access the PDMP.

PDMP Delegates

A delegate is allowed to access the PDMP at the request of the delegating doctor or pharmacist for only two purposes:

- To provide medical or pharmaceutical care to a specific patient of the delegating doctor or pharmacist; or
- To inform the delegating doctor or pharmacist of the patient's potential use, misuse, abuse, underutilization of prescription medicine.

A delegate is not authorized to look up a person's prescription history on the PDMP for any other purpose.

How Can Prescription Information Be Used?

Once you have looked up a patient's prescription history, you may:

- Report your findings to your delegating doctor or pharmacist
- Enter the prescription into the patient's medical records

After that, **it is your duty** to protect the confidentiality of the information you found on the PDMP.

Confidentiality of Prescription Information

- Information about the prescriptions that a person has filled is considered “personal health information” for purposes of the federal Health Insurance Portability and Accountability Act (HIPAA).
- Health care providers and their staff have an affirmative obligation to protect that personal health information from being disclosed to unauthorized persons.

Confidentiality of Prescription Information

- Your delegating doctor or pharmacist is required by law to have policies and procedures in place to ensure the confidentiality of personal health information.
- It is your responsibility as a delegate to know those policies and procedures, and to follow them.

Confidentiality of Prescription Information

The laws governing Georgia's PDMP require you and your delegating doctor or pharmacist to strictly ensure the confidentiality of prescription information. Code Section 16-13-64 makes it a criminal offense for any person to:

- Negligently use, release, or disclose prescription information from the PDMP in an unauthorized manner or for an unauthorized purpose;
- Knowingly obtain or disclose prescription information from the PDMP in an unauthorized manner or for an unauthorized purpose;

Confidentiality of Prescription Information

- Knowingly obtain, attempt to obtain, or disclose prescription information from the PDMP under false pretenses; or
- Obtain or disclose prescription information from the PDMP in an unauthorized manner with the intent to sell, transfer, or use such information for commercial advantage, personal gain, or malicious harm.

A delegate's improper actions can result in civil or criminal liability to the delegating doctor or pharmacist.

Why Protect Prescription Information?

Medicines are often designed to treat very specific conditions, and knowing the names of the medicines that a person takes is a roadmap to their health condition.

For example:

- Taxol, methotrexate, zoladex - patient likely has cancer
- Risperdol, carbitrol - patient likely has mental illness
- Abacavir, nevirapine - patient likely has HIV/AIDS

The improper disclosure of a patient's prescription information can have a devastating effect on their personal life, family, and career.

Am I Eligible to Become a Delegate?

There are three steps to becoming a delegate:

- Take and pass the test at the end of this training;
- Complete DPH Form 7207- “PDMP Delegate Responsibility Statement,” sign it, and have your delegating doctor or pharmacist sign it;
- Print a copy to be kept by the delegating doctor’s or pharmacist’s records

Test for Understanding

Test for Understanding – Question 1

A delegate accidentally leaves a printout of a patient's PDMP prescription information on his desk, in full view of other patients and staff. The delegate did not intend to disclose the prescription information to anyone.

Has the delegate broken the law?

_____ Yes

_____ No

Test for Understanding – Question 2

A delegate is asked by a friend to look up the friend's prescription history on the PDMP. The friend provides a written and signed HIPAA authorization. The delegate refuses to check, saying the law doesn't allow her to comply with the friend's request.

Was the delegate correct?

_____ Yes

_____ No

Test for Understanding – Question 3

Disclosing a patient's prescription history probably won't harm the patient very much, because anyone seeing that information would not know why the medicine was prescribed.

_____ True

_____ False

Test for Understanding – Question 4

A delegate is concerned that according to the PDMP one of the delegating doctor's patients has not filled a prescription for a much-needed medicine in many months. The delegate relays that information to the delegating doctor.

Did the delegate violate the law?

_____ Yes

_____ No

Test for Understanding – Question 5

The delegating doctor instructs the delegate to check a patient's prescription history in the PDMP, and enter the information into the office electronic medical records (EMR) system. The delegate says it would be improper to do so, because of the danger that unauthorized persons might access the EMR and see the prescription information.

Was the delegate correct?

_____ Yes

_____ No

Test for Understanding – Question 6

One of the purposes of the PDMP is to combat the opioid epidemic.

- True
- False

Test for Understanding – Question 7

In order to become a delegate authorized to access the PDMP, you must first register with the Georgia Department of Public Health.

_____ True

_____ False

Test for Understanding – Question 8

A doctor, pharmacist, or delegate who accesses the PDMP to look up the prescription history of someone who is not a patient can be sent to jail.

- True
- False

Test for Understanding – Question 9

The Georgia PDMP will not display prescriptions that the patient filled more than two years ago.

_____ True

_____ False

Test for Understanding – Question 10

A delegate is required by law to follow HIPAA and the Georgia statutes governing the PDMP, but is not required by law to follow the delegating doctor or pharmacist's internal security policies.

_____ True

_____ False

Test for Understanding Answer Key

1. **Yes.** Code Section 16-13-64 makes it unlawful to negligently disclose prescription information to unauthorized persons.
2. **Yes.** Although the delegate would not violate HIPAA by complying with the friend's request, Georgia law allows her only to look up patients of the delegating doctor or pharmacist.
3. **False.** Many medicines are used only for specific conditions. Anyone with access to a computer can look up the name of a medicine and learn what conditions it is used to treat.
4. **No.** The delegate was checking on the delegating doctor's patient. A delegate is allowed to access the PDMP for the purpose of informing the doctor of a patient's "underutilization of prescription medicine."
5. **No.** The law specifically allows doctors and pharmacists to include PDMP prescription information in patient records.

Test for Understanding Answer Key

6. **True.** Opioid drugs are controlled substances, and one of the purposes of the PDMP is to “reduce the abuse of controlled substances.”
7. **False.** Delegates are required to register with the Georgia Board of Pharmacy.
8. **True.** Criminal penalties, including fines and prison, can be imposed on any person who accesses the PDMP in an unauthorized manner or for an unauthorized purpose.
9. **True.** The Georgia PDMP only displays prescription information for the previous two years.
10. **False.** Delegates have an affirmative obligation to familiarize themselves with the delegating doctor or pharmacist’s internal security policies and to follow them.

PDMP Delegate Responsibility Statement

This form should be signed by the delegate and the delegating doctor or pharmacist and maintained for inspection by the Department.

_____ [name of delegate] is appointed as a delegate to access the Prescription Drug Management Program database on behalf of

_____ [name of delegating physician, dispenser, or clinic].

This _____ day of _____, _____.

Delegating Physician/Pharmacist

Signature: _____

Name: _____

Facility: _____

PDMP Delegate Responsibility Statement

As a delegate, I understand that I have the following responsibilities under law:

- To access the PDMP only to review the prescription history of my employer's patients;
- To disclose prescription information only to my delegating physician or pharmacist, or to physicians or pharmacists employed by my employer, or to enter prescription information into the patient's medical records;
- To familiarize myself with my employer's policies and procedures for the safeguarding of patients' personal health information; and
- To ensure that the confidentiality of prescription information is maintained, and that it is disclosed only to authorized persons for lawful purposes.

Delegate

Signed: _____

Name: _____

[DPH Form 7207-A created 11/2017]