



COUNTY OF YOLO

HEALTH AND HUMAN SERVICES AGENCY

POLICIES AND PROCEDURES

SECTION 5, CHAPTER 11, POLICY 009

CONTROLLED SUBSTANCE UTILIZATION REVIEW AND EVALUATION SYSTEM (CURES)

A. PURPOSE: To provide prescribing providers of Yolo County Health and Human Services Agency (HHS) with guidelines for consulting CURES for any Schedule II–IV controlled substance; and to inform psychiatrists, physician assistants, and registered nurse practitioners (furnishing) of their obligation to comply with state and federal mandates.

B. FORMS REQUIRED/ATTACHMENTS: N/A

C. DEFINITIONS:

- 1. CURES:** California's Prescription Drug Monitoring Program (PDMP) database that allows authorized users to view information on Schedule II–IV controlled substances prescribed or dispensed to clients in the state of California.

D. POLICY: Effective October 2, 2018, all psychiatrists, physician assistants, and registered nurse practitioners (furnishing) are required to consult CURES prior to prescribing, ordering, administering, or furnishing a Schedule II–IV controlled substance. All HHS providers with both a Drug Enforcement Administration (DEA) controlled substance registration certificate AND California licensure as a physician, physician assistant, or registered nurse practitioner (furnishing) are required to register in the CURES 2.0 database (SB-482).

E. PROCEDURE

1. CURES 2.0 Registration

- a.** CURES registration is accessed from the Office of the Attorney General website, located at:

<https://cures.doj.ca.gov/registration/confirmEmailPnDRegistration.xhtml>

- b.** Follow the Application Instructions and submit the form when complete. Instructions and a registration link will be sent to the email provided by the applicant.
- c.** Once the link is clicked, the applicant is navigated to the User Registration Form. Complete the required Applicant Information section.

When asked to enter a Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN), providers must use the same number that was used with their licensing board.

- d. After the Application Information section is complete, applicants must complete the Security Questions setup.
- e. Review and confirm the application information, accept the terms and conditions of the User Agreement, and submit the registration form.
- f. An approval or denial notification is sent via email within 24 to 48 hours. Approved users are sent an email with their User ID and link to validate identification. Upon first time login, users must create a new password and complete their profile.
- g. The landing page for users upon login to CURES 2.0 is the Dashboard from which users can access all features within CURES 2.0.
- h. Password resets are required every 90 days, and users are sent a reminder email prior to password expiration.
- i. Prescribers can register up to 50 delegates who may initiate Patient Activity Report (PAR) searches on behalf of the "parent" prescriber. Prescribers assume responsibility for delegates' use of CURES 2.0.

2. Requirements for Consulting CURES

- a. Prescribing providers are required to consult the CURES 2.0 database to review a client's controlled substance history under the following circumstances (SB-482):
 - i. Before prescribing, ordering, administering, or furnishing a Schedule II, Schedule III, or Schedule IV controlled substance to the client for the first time, unless one of the exemptions apply (see #3 below).

"First time" means the initial occurrence in which a provider, in his/her role as a health care practitioner, intends to prescribe, order, administer, or furnish a Schedule II-IV controlled substance to a client and has not previously prescribed a controlled substance to the client.
 - ii. At least once every four months thereafter if the substance remains part of the treatment of the client.
 - iii. Within the twenty-four-hour period, or the previous business day, before prescribing, ordering, administering, or furnishing a controlled substance, unless one of the exemptions apply (see #3 below).
 - iv. Before subsequently prescribing a controlled substance, if previously exempt.

3. Exemptions to Consulting CURES

- a. Providers are exempt from consulting the CURES 2.0 database before prescribing, ordering, administering, or furnishing a controlled substance in any of the following circumstances (Health & Safety Code, § 11165.4):
 - i. While the client is admitted to, or during an emergency transfer between a:

- Licensed Clinic, or
 - Outpatient Setting, or
 - Health Facility, or
 - County Medical Facility
 - In the emergency department of a general acute care hospital, and the controlled substance does not exceed a non-refillable seven-day supply
- ii. As part of a client's treatment for a surgical procedure, and the controlled substance does not exceed a non-refillable five-day supply when a surgical procedure is performed at a:
- Licensed Clinic, or
 - Outpatient Setting, or
 - Health Facility, or
 - County Medical Facility, or
 - Place of Practice
- iii. The client is receiving hospice care.
- iv. If not reasonably possible for a prescriber to access the information in CURES in a timely manner, and another individual with access to CURES is not reasonably available, a five-day supply of the controlled substance can be prescribed, ordered, administered, or furnished as long as there is no refill allowed.
- The prescriber must document the reason for not consulting CURES in the medical record of that client.
- v. If a prescriber determines that consulting CURES would result in a client's inability to obtain a prescription in a timely manner and thereby adversely impact the client's medical condition, a prescriber may provide a non-refillable five-day supply if they make such a determination.
- The prescriber must document the reason for not consulting CURES in the medial record of that client.

4. Information Obtained from CURES

- a. The following information may be obtained from CURES upon running a PAR:
- i. Client name, date of birth, and address
 - ii. Prescriber name and DEA number
 - iii. Pharmacy name and license number
 - iv. Date prescription dispensed
 - v. Prescription number

- vi. Drug name, form, strength and quantity
 - vii. Days' supply
 - viii. Number of refills remaining
- b. Patient Safety Alerts, numbered 1-5, will also display on PARs based on patterns indicative of at-risk client behavior. Alerts are informational and providers must determine if any action is necessary. Patient Safety Alerts:
- 1. Rx recipients who are currently prescribed more than 90 Morphine milligram equivalency per day.
 - 2. Rx recipients who have obtained prescriptions for 6 or more prescribers, or 6 or more pharmacies during the last 6 months.
 - 3. Rx recipients who are currently prescribed more than 40 milligrams methadone daily.
 - 4. Rx recipients who are currently prescribed opioids more than 90 consecutive days.
 - 5. Rx recipients who are currently prescribed both benzodiazepines and opioids.

5. HNSA Prescriber Guidelines

- a. All prescribers will designate RN/LVN/LPT/MA staff to initiate PAR searches on their behalf.
- b. All HNSA nursing staff will register and agree to act as a designee for prescribers.
- c. For clients being considered for a new prescription, or first prescription from a specific prescriber for a controlled substance, prescribers will ask their designated team nursing staff or another nursing staff to request a CURES report for that client, which will be sent to the prescriber, and may only be accessed by the prescriber within CURES.
- d. For clients currently on a controlled substance that the prescriber may continue, the Care Team RN will request a CURES report one business day prior to the client's appointment and the report will be sent to the prescriber for whom the report was requested within CURES.
- e. HNSA limits the prescribing of controlled substances to no opioids, and limited use of benzodiazepines, Ambien, or other similar agents (see HNSA PPs 5-11-007 & 5-11-008).
- f. Prescribers will adhere to documentation requirements outlined below.

6. Documentation Requirements

- a. Prescribers shall document in the client's medical record the CURES reviewed date and any significant findings from the report, when applicable.
- b. Prescribers shall document any reasons for not consulting CURES if a Schedule II-IV substance is prescribed, ordered, administered, or furnished, and must meet criteria for exemption reasons specified above under #3.
- c. Prescribers may notate in CURES their clients with whom they have treatment exclusivity agreements, or "compacts", forewarning other providers that additional prescribing to these clients could be potentially counter-productive to their existing treatment. Prescribers and

dispensers may also securely message each other concerning mutual clients within CURES. Prescribers should document in the medical record if any communication occurred.

- d. HHSA prescribers will document in the chart, one of the following for every client encounter:
 - 1. "CURES review was performed on [date] and there were no significant findings".
 - 2. "CURES review was performed on [date] and the following significant findings were reported: [insert relevant information]".
 - 3. "CURES review: N/A", when no controlled substance is prescribed or renewed.
- e. RN/LVN/LPT/MA will submit a copy of the CURES report to the client's record. Clients may be provided with a copy of their activity report.

7. Legal Information

- a. A health care practitioner who fails to consult the CURES database per requirements above, shall be referred to the appropriate state professional licensing board for administrative sanctions, as deemed appropriate by that board.
 - b. There is no private cause of action for a prescriber's failure to consult CURES. There is no limit for a prescriber's liability for the negligent failure to diagnose or treat a client.
 - c. For any further questions, legal counsel should be sought.
8. Additional information concerning CURES registration, User Guides, and Frequently Asked Questions is available at: <https://oag.ca.gov/cures>
9. For further questions and/or training requests, contact: CURES@doj.ca.gov or 916-210-3187.

F. REFERENCES:

California Health and Safety Code, Sections 11165 et al.

CURES 2.0. California Department of Justice, Office of the Attorney General.


Senate Bill 482 (SB-482). California Department of Justice, Office of the Attorney General.

Approved by:



Karen Larsen, Director
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9/24/18
Date



Leigh Harrington, Medical Director
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9/24/18

Date