

# Legislative Audit Commission

## Resolution No. 154

Presented by Senator Ellman

WHEREAS, opioid abuse and related overdoses are a national epidemic; and

WHEREAS, according to the Centers for Disease Control and Prevention, more than 46,000 people died in 2018 from overdoses involving opioids including prescriptions, which increased from previous years; and

WHEREAS, from 2015 through 2017, the rate of overdose deaths in Illinois increased by more than 75 percent and in 2017, there were 2,202 drug overdose deaths involving opioids in Illinois - a rate which was higher than the national rate; and

WHEREAS, prescription drug monitoring programs include electronic databases that track controlled substance prescriptions and are among the most promising state-level interventions to help prevent the abuse of opioid prescribing, inform clinical practice, and protect patients at risk while providing health authorities with information about patient behaviors including prescribing histories, timely data, and proactive reports; and

WHEREAS, the Prescription Monitoring Program (Program) was originally established effective April 1, 2000 under the Illinois Controlled Substances Act (720 ILCS 570/) which is under the jurisdiction of the Illinois Department of Human Services (Department); and

WHEREAS, dispensers are required to submit information to the central repository on certain controlled substances prescribed; and

WHEREAS, the Department is required to ensure all providers have access to specific patient records during the treatment of their patients and adopt rules requiring all electronic health records to interface with the program by January 1, 2021; and

WHEREAS, the Department was also given the authority to impose a civil fine of up to \$100 per day for willful failure to report controlled substance dispensing to the Prescription Monitoring Program; and

WHEREAS, the Bureau of Pharmacy and Clinical Support Services, within the Department, administers the Prescription Monitoring Program in Illinois for practitioners who write prescriptions and retailers that dispense controlled substances; and

WHEREAS, in 2018, Illinois had 62,353 prescribers and 2,283 registered dispensers under the responsibility of the Department; and

WHEREAS, the Department is also the supervising entity over the Illinois Controlled Substance Act; therefore, be it

RESOLVED, BY THE LEGISLATIVE AUDIT COMMISSION, that the Auditor General is directed to conduct a performance audit of the Prescription Monitoring Program operated by the Department of Human Services; and be it further

RESOLVED, that the performance audit include but not be limited to, the following determinations:

- 1) Whether the Department has fully implemented a Prescription Monitoring Program (Program) in accordance with State requirements including whether updated rules were adopted within one year of the effective date of the Public Act and whether all Electronic Health Records Systems were able to interface with the Prescription Monitoring Program application program on or before January 1, 2021;
- 2) Whether the Department is adequately monitoring the Program and using this information to ensure the Program is administered as required;
- 3) Whether the Program and its database are effective in helping Illinois patients by requesting program assessment information from the Department and data from the database showing changes in the number and type of drug-related issues (such as deaths, abuse, overprescribing) since the implementation of State requirements;
- 4) Whether the Department's database is accurate and up-to-date including if the information submitted by dispensers is complete and timely; and
- 5) Whether the Department is utilizing its authority to impose fines when dispensing reporting requirements are not being reported as required for the Program; and be it further

RESOLVED, that the Illinois Department of Human Services as well as any other entity that may have information pertaining to this audit cooperate fully and promptly with the Auditor General's Office in the conduct of this audit; and be it further

RESOLVED, that the Auditor General commence this audit as soon as possible and report his findings and recommendations, upon completion in accordance with the provisions of Section 3-14 of the Illinois State Auditing Act; and be it further

RESOLVED, that a copy of this resolution be delivered to the Auditor General and the Illinois Department of Human Services.

Adopted this 21<sup>st</sup> day of July, 2020.

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Senator Jason Barickman  
Co-Chair, Legislative Audit Commission

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Representative Robert Rita  
Co-Chair, Legislative Audit Commission