



PHARMACIES RELY ON TECHNOLOGY TO FOLLOW THE LAW ON PSE PURCHASES

The illegal manufacture of methamphetamine has had a far-reaching impact on pharmacies across the country in recent years. In March 2006, the Combat Methamphetamine Epidemic Act of 2005 (CMEA) was signed into law, regulating retail over-the-counter sales of ephedrine, pseudoephedrine, and phenylpropanolamine products. CMEA required daily and 30-day purchase limits, sales logbooks, ID verification, and behind-the-counter product placement.

More than 43 states, beginning with Oklahoma, have now passed laws restricting the sale of over-the-counter drugs containing PSE. While the laws may vary from state to state, in most cases, a purchaser must present a government issued photo ID, be 18 years of age, and be limited on the amount of product purchased.

Purchasers are now required to sign a manual log with their name, date of birth, address and other identifying information along with a description of their purchase. CMEA mandates that any PSE monitoring systems either be wholly written or wholly electronic, thus creating the challenge for pharmacies:

How do they accurately collect and manage the logs of individuals who purchase these products at the counter?

Until recently, most pharmacists have relied on paper logs to track the information. This has become a cumbersome and timely task, requiring customers to sometimes wait in lengthy lines and spend up to five minutes completing the registration process.

Since medicines containing PSE are vital to meth production, it has caused a big problem for the meth lab business as well. The restrictions forced meth cooks to come up with new and creative ways to buy the amount they needed without generating the attention of pharmacists and law enforcement.

“We would have carloads of people park a few stores down from us. One by one, they’d come in and buy as much as they were allowed,” said one Kentucky pharmacist. “As soon as we saw what was happening, we’d take a pen and paper, write down their license plate numbers and call police.”

The paper logs are difficult to manage from a law enforcement perspective. Police visit each pharmacy in their community and manually review each log to see if they notice a purchasing pattern among different pharmacies. The pharmacist must photocopy or scan the log whenever requested by law enforcement.

“It was very time consuming to pick up each pharmacy log and compare them to other pharmacies to see who’s buying more than they are allowed,” said Detective Brian Lewis of Operation UNITE, a federally-funded drug task force in London, Kentucky. “It could take us up to a full day to pull the logs, and then another two or three days to compare them.”

Pharmacies are now exploring the use of electronic logs versus paper. The results have been promising. Kentucky is implementing a statewide electronic tracking system in all of its nearly 1,300 pharmacies. A Web-based application called MethCheck® automatically collects a purchaser’s name, address and age, by swiping a driver’s license or a state-issued identification card. Pharmacies remain in compliance with state and federal laws, without the hassles of maintaining the paper logs. Retailers can scan the license to learn whether the consumer has maxed out the allowed PSE purchase within a 30-day period.

The product was designed by the largest pharmacy chains in the country along with equal input from independent pharmacies with one or two stores.

“MethCheck is comprehensive and includes services to manage realtime purchases, attempts to purchase, returns, voids, and delayed data submissions,” said Joe DeSensi, product manager with Appriss, the technology company behind MethCheck. “A multi-state compliance monitor keeps a single store or a chain of stores across the country compliant with all federal, state, and local PSE laws.”

MethCheck helps with other compliance issues such as record retention and purging, specifying which IDs can be used in which states, and keeping some of the more difficult laws straight, such as exempted products, pill limitations, and even per-box restrictions. It is currently in production with more than 7,000 pharmacies in 43 states and is processing more than 30,000 PSE transactions per day.

Law enforcement says MethCheck allows them to scan logs within seconds instead of days. Kentucky officials insist MethCheck is a starting point in an investigation, not the end.

Overall, the Kentucky pharmacies using MethCheck say it has greatly diminished the amount of paperwork that needs to be done to keep up with PSE sales. They say some customers are more concerned about having to give their license, but those are generally the ones pharmacists would consider to be suspicious.