



COUNTY OF LOS ANGELES
DEPARTMENT OF MEDICAL EXAMINER-CORONER
1104 N. MISSION RD, LOS ANGELES, CALIFORNIA 90033



Jonathan R. Lucas, M.D.
Chief Medical Examiner-Coroner

September 13, 2018

TO: Each Supervisor

FROM: Jonathan R. Lucas, M.D.
Chief Medical Examiner-Coroner

Barbara Ferrer, Ph.D., M.P.H., M.Ed.
Director, Department of Public Health

SUBJECT: **REPORT BACK ON PREVENTION OF OPIOID DEATHS (ITEM NO. 5,
AGENDA OF AUGUST 14, 2018)**

On August 14, 2018, your Board instructed the Chief Medical Examiner-Coroner to work in conjunction with the Director of Public Health and the County Health Officer, among others, and report back in 30 days on the feasibility of notifying physicians and other medical professionals who prescribed opioids to a patient who has died of an opioid overdose.

The Medical Examiner-Coroner and the Department of Public Health engaged representatives from County Counsel, USC Sol Price School of Public Policy, the countywide opioid coalition known as SafeMed LA, and leads from the research study conducted on this topic in San Diego County to explore the feasibility of implementing a program in Los Angeles in which letters are sent to prescribers when one of their patients dies of an opioid overdose.

After discussion of the various considerations necessary to operationalize the proposed notification process, which are highlighted below, the workgroup determined that it would be feasible to implement a program of notification to prescribers in Los Angeles County.

Content of the Letter and Legal Compliance with Privacy Laws

Discussion with County Counsel informed the content of a Letter to Prescriber and compliance with privacy laws in consideration of the Public Records Act (PRA). Letters will be informative, non-judgmental, and educational. The letters will contain protected health information only in the form of the deceased patient's name and a date of birth, which would link the decedent's name to a particular physician. Because the letters are public record and will be subject to requests made pursuant to the PRA, protected health information will be redacted to comply with State privacy

Accreditations:

National Association of Medical Examiners (Provisional)
California Medical Association-Continuing Medical Education
Accreditation Council for Graduate Medical Education

ANAB ISO/IEC 17025:2005 Forensic Science Testing Laboratories
Peace Officer Standards and Training Certified

laws. The federal privacy regulations do not apply to the County Department of Medical Examiner-Coroner because it is not a "covered entity" as defined by federal regulations (e.g., Health Insurance Portability and Accountability Act).

Process of Notification

A process has been developed to identify and notify physicians and other medical professionals who prescribed opioids to a patient who has died of an opioid overdose. Further, criteria were developed to identify the cases for which prescribers will be notified. The included cases would meet the following criteria: 1) unintentional deaths (manner of death is accident); and 2) an opioid normally obtained through a prescription was determined to either be the cause of death or a contributor to the cause of death. The full details of the notification process are provided in Attachment 1.

Stakeholder Engagement

To facilitate a smooth rollout of this proposed notification process, we will engage stakeholders, including the Los Angeles County Medical Association and local health plans, such as LA Care and Health Net, to obtain input on the project. We will also discuss the possibility of having stakeholders correspond with their members about the letters prior to initiating the project. CURES, which is part of the State Department of Justice, will also be contacted and made aware of this project.

Evaluating Impact

Determining the impact of the proposed notification letters is critical to refining this effort and informing future strategies. At a minimum, the effect of the letters may only be evaluated alongside the many other strategies being put in place via generalized metrics such as total number of opioid-related deaths, hospital admissions, emergency department visits, etc. However, the workgroup will explore the possibility of developing a method to measure the effectiveness of the letter specifically, independent of other confounding interventions.

Resources

Using published data from San Diego County¹ and extrapolating to Los Angeles County, we estimated that approximately 1,923 letters to prescribers would be sent annually. A detailed time analysis estimated that this would result in an estimated staffing need of one-third to one-half of a full-time equivalent position for the Medical Examiner-Coroner. Other costs include supplies and postage related to the mailing of the notification letters.

The estimated start date would be approximately 60 days following a decision by your Board to proceed. If you have any questions or need additional information, please let us know.

JRL:BF

Attachment

¹ Lev, R., Petro, S., Lee, O., Lucas, J., Stuck, A., Vilke, G. M., & Castillo, E. M. (2016). A description of Medical Examiner prescription-related deaths and prescription drug monitoring program data. *Am J Emerg Med*, 34(3), 510-514.

Prescriber Notification Process

1. Identify cases that meet the criteria for sending prescribers letters

These are cases that would be identified several weeks or months after the death due to the time involved in the investigation, including toxicology. The included cases would meet all the following criteria: 1) unintentional deaths (manner of death is accident); and 2) an opioid normally obtained through a prescription was determined to either be the cause of death or a contributor to the cause of death.

2. Obtain a report from the statewide prescription drug monitoring program

A report will be obtained from the statewide drug monitoring program, known as the Controlled Substance Utilization Review and Evaluation System (CURES). This report will contain information on the decedent, including prescriptions filled in the 36 months prior to the date of the report. To obtain the report, a brief letter must be uploaded stating that the Medical Examiner-Coroner has the authority to receive the CURES report.

3. Identify prescriptions filled in the twelve months prior to death and obtain information on prescribers

All prescribers who wrote a prescription for the decedent that was filled during the twelve months prior to their death will be sent a letter. Prescribers will be sent letters to their address of record, which can be found in CURES, through the California Medical Board, or through internet searches. This is anticipated to be one of the most time-consuming steps.

4. Draft and send letters

A letter will be drafted to the providers, likely using a batch method periodically. For example, use Microsoft Word's mail merge function on a weekly basis to create letters. Also, a duplicate redacted version of the letter will be created at the same time to keep in the decedent's file. This will save time in the case of a future PRA request. Finally, the letters will be assembled and sent via mail.