Theft of a Prescription Pad
September 2013

Q: I received a shocking phone call from a pharmacist. She asked me about the recent uptick in my prescriptions for, among other drugs, Xanax, Librium, OxyContin, Amytal, and Ambien. I had no idea what she was talking about, and told her so. To make a long story short, one of my patients, who is part of a whole family of long-term patients, stole one of my prescription pads and was writing prescriptions for herself and others by forging my name. How should I deal with this situation, from the Drug Enforcement Agency (DEA) to the police and to the patient and family? I have never heard of this happening to an ophthalmologist!

A: There is no set procedure for dealing with this specific type of situation, but the Ethics Committee members, the committee legal counsel, and the Ophthalmic Mutual Insurance Company offer the following points as guidance.

- Improper use of a DEA number violates federal and state laws. Physicians must report suspected theft to the federal and state DEA office, as well as to the police.

- Additional reporting duties may vary depending on state law. The state medical board should be able to answer specific questions about regulations and reporting requirements in your state.

- It is a good idea to report the situation to your state medical board, which can help if, in the future, other pharmacies also report an unusual prescribing pattern.

- Begin the process of terminating the physician-patient relationship. Be very clear in the letter to the patient about the reasons for the termination. Be sure to emphasize that the termination is for her alone and does not have an impact on the physician-patient relationships with her family.

- Contact your malpractice carrier. The carrier needs to be aware of the situation in case the patient files a suit for improper termination of the physician-patient relationship, especially if her care is ongoing.

For more information or to submit a question, contact the Ethics Committee staff at ethics@aao.org.