

### LegitScript Internet Pharmacy Verification Program Launches

In May 2007, LegitScript announced the launch of a new Internet pharmacy verification service. LegitScript.com—which is free to consumers and pharmacies—includes a search engine that allows users to determine whether a pharmacy that conducts some or all of its business over the Internet meets standards of quality and safe business practices. Approved websites will be authorized to display the LegitScript Seal of Approval.

The National Association of Boards of Pharmacy® (NABP™) which represents all state boards of pharmacy in the United States, recognizes LegitScript's Internet pharmacy verification standards (See sidebar for standards). LegitScript also recognizes the NABP's® Verified Internet Pharmacy Practice Sites™ (VIPPS®) program standards.

Some people have inquired as to the difference between LegitScript's program and the VIPPS® program. Although the programs have recognized the other's standards, the two are different in scope and objective. LegitScript considers its Internet pharmacy verification standards to constitute baseline legitimacy requirements, in consideration of federal and state laws and accepted standards of safe medical and pharmacy practice and ethics. LegitScript's program is designed, in part, to give search engines and payment service providers a comprehensive listing of all known pharmacy websites that meet those minimum standards. The VIPPS program is more rigorous, and accredits pharmacy websites that comply with federal and state laws and regulations, and that meet practice standards exceeding the minimum requirements for licensure. Additionally, the VIPPS accreditation process involves a 19-point review that includes license verifications, extensive evaluations of the pharmacy's policies

and procedures, and an on-site inspection. There are currently 15 VIPPS-accredited pharmacy websites.

LegitScript is developing functionality that will allow Internet users to find detailed information about approved Internet pharmacies, including accepted insurance/health care plans, and a price comparison feature. Visitors to LegitScript.com can also report a "rogue" Internet pharmacy website. LegitScript standards prohibit the recognition of pharmacy websites that do not require a valid prescription. Pharmacies that distribute prescription drugs solely on the basis of an online questionnaire or consultation will not be considered for inclusion in the program.

LegitScript was founded by John Horton, a former prosecutor who also worked for five years (2002 – 2007) at the Office of National Drug Control Policy, where he was responsible for Internet pharmacy and prescription drug abuse policy. The company is located in Arlington, Va. LegitScript is available to discuss its Internet pharmacy verification program with any member of the FSMB, and welcomes any input from state medical boards regarding LegitScript's Internet pharmacy verification program.

#### Sidebar

- The pharmacy is licensed or registered in good standing in the states where the pharmacy delivers or dispenses, or offers to deliver or dispense, prescription drugs.
- The Pharmacist-In-Charge is licensed or registered in good standing in all necessary jurisdictions where the pharmacy delivers or dispenses, or offers to deliver or dispense, prescription drugs.
- The pharmacy is physically located within the United States and adheres to the FDA's drug ap-

proval process.

- The pharmacy website provides accurate physical location and contact information on its website for the brick-and-mortar pharmacy or other approved and licensed facility that dispenses prescription drugs.
- If the pharmacy delivers controlled substances, the pharmacy has a valid DEA registration and state controlled substance license, as applicable.
- The pharmacy is HIPAA-compliant and uses SSL or equivalent technology to secure transaction information and protect customer privacy.
- The pharmacy requires a valid prescription provided by a person authorized under state law and, as applicable, federal law, to provide a prescription.
- The pharmacy does not encourage, facilitate, or dispense prescriptions that have been issued based upon an invalid patient-prescriber relationship that has not included an in-person examination. Pharmacies that distribute prescription drugs solely on the basis of an online questionnaire or consultation will not be considered for approval.
- The pharmacy and pharmacist-in-charge have not been subject to significant recent and/or repeated disciplinary sanctions.
- The pharmacy dispenses drugs in compliance with the Food, Drug, and Cosmetic Act, the Controlled Substances Act, and other applicable federal and state laws.

## News of Interest

- Dr. Ramon Scruggs was indicted on counts of conspiracy to commit money laundering, money laundering, and four counts of distribution of anabolic steroids and four counts of misbranding drugs held for sale with intent to defraud and mislead in an indictment unsealed April 9, 2008. The full press release can be accessed at [www.usdoj.gov/usao/can](http://www.usdoj.gov/usao/can)
- Georgios Xydeas was indicted in early April for selling counterfeit, misbranded and unapproved prescription drugs to Internet pharmacies and

undercover agents. The case was investigated by agents from Immigration and Customs Enforcement and the Food and Drug Administration's Office of Criminal Investigations, with support from the U.S. State Department and Panamanian officials and the cooperation of pharmaceutical companies. The full press release can be accessed at [http://www.usdoj.gov/usao/co/press\\_releases/2008/index.html](http://www.usdoj.gov/usao/co/press_releases/2008/index.html)

- The McKesson Corporation, one of the nation's largest distributors of pharmaceutical drugs, agreed to settle allegations that it violated federal reporting provisions relating to its handling of certain prescription medications regulated by the Drug Enforcement Administration on May 2, 2008. McKesson Corp. failed to report to DEA suspicious sales of controlled substance pharmaceuticals it made to pharmacies that filled orders from illegal "Internet pharmacies" that sell drugs online to customers who do not have a legal prescription. McKesson agreed to pay \$13,250,000 in civil penalties for the alleged violations. The full press release can be accessed at [http://www.usdoj.gov/usao/co/press\\_releases/2008/index.html](http://www.usdoj.gov/usao/co/press_releases/2008/index.html)
- Corey Stanford Jr., pleaded guilty to one count of distributing anabolic steroids April 18, 2008. According to court documents, Stanford used the Internet to communicate with individuals interested in buying steroids. Sentencing is scheduled for July 7. This matter stemmed from Operation Phony Pharm, an investigation headed by the Federal Bureau of Investigation's Healthcare Fraud Unit in the District of Connecticut. The full press release can be accessed at <http://www.usdoj.gov/usao/ct/press.html>
- Walter Corey was sentenced to two years of probation for his participation in a conspiracy to distribute anabolic steroids over the Internet on May 21, 2008. This matter also stemmed from Operation Phony Pharm. The full press release can be accessed at <http://www.usdoj.gov/usao/ct/press.html>

- Brian Tompkins was sentenced to six months imprisonment, followed by two years of supervised release, for distributing anabolic steroids by mail to individuals who contacted him through his MySpace.com profile on June 2, 2008. This matter also stemmed from Operation Phony Pharm. The full press release can be accessed at <http://www.usdoj.gov/usao/ct/press.html>
- An article posted to *Bloomberg News* on June 11, 2008, stated that counterfeit medications are on the rise worldwide, as criminals capitalize on the growing use of the Internet by consumers searching for inexpensive drugs. Seizures of bogus prescription medicines jumped 24 percent in 2007, and copies of 19 of the world's 25 best-selling drugs were among those seized by industry security, customs agents, and police last year. The article can be accessed at [http://www.boston.com/business/healthcare/articles/2008/06/11/counterfeit\\_medicines\\_on\\_rise/](http://www.boston.com/business/healthcare/articles/2008/06/11/counterfeit_medicines_on_rise/)
- Two pharmacists have been accused of selling nearly 10 million addictive painkillers illegally over the Internet. Steven Abiodun Sodipo and Callixtus Onigbo Nwaehiri, were indicted in September on charges of dispensing hydrocodone under bogus prescriptions to clients all over the country from their Baltimore pharmacy, New-care Home Health Service. Prosecutors said at least two customers died after suffering overdoses. (*Baltimore Sun*, June 10, 2008)
- Krystal Barber, and her mother, Sharon Brown, were charged with running an illegal pharmacy from their apartment, dispensing thousands of painkillers and other narcotics across the country after advertising their services in Internet chat rooms. They face charges of conspiracy to operate drug premises, wire fraud, mail fraud, identity theft and money laundering (*The Virginian-Pilot*, May 21, 2008).
- Three persons, Jude LaCour, Jeffrey LaCour, and Hudson Smith, were accused of serving up 44 million doses of prescription drugs over the Internet

in a three-year period, ringing up \$77 million in sales. In addition to the drug sales, the LaCours were accused of running the Jive Network, which sold controlled substances using Internet sites. Smith, the director of pharmacy and physician operations, was indicted for drug-trafficking offenses (*Daytona Beach News-Journal*, May 10, 2008).

- The Ohio State Board of Pharmacy voted to revoke the license of Steven Holtel for improperly selling controlled substances over the Internet. The state presented evidence that Holtel had filled 8,324 online prescriptions for 5,621 patients across the United States between October 2005 and mid-February 2006 (*The Columbus Dispatch*, April 10, 2008).

## Disciplinary Actions

The following is a partial list of recent disciplinary actions taken against physicians who prescribed medicine via the Internet.

- Florida Board of Osteopathic Medicine—Alan J. Saltzman, D.O., reprimanded, suspended for six months and fined \$45,000, required to complete courses on prescribing, records, and laws and rules, and respondent shall perform 150 hours of community service on June 9, 2008.
- Michigan Board of Medicine—James J. Bleicher Jr., M.D., fined \$5,000 on May 21, 2008.

## Contact the Clearinghouse

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