

Remember this?

The Federation of State Medical Boards (FSMB) has adopted two policies that address issues related to medical practice on the Internet. The *Report on Professional Conduct and Ethics*, adopted in May 2000, included recommendations regarding the regulation of Internet prescribing. The first recommendation stated that “state medical boards should consider it unprofessional conduct for a physician to provide treatment and consultation recommendations, including issuing a prescription, via electronic or other means, unless the physician has obtained a history and physical evaluation of the patient adequate to establish diagnoses and identify underlying conditions and/or contra-indications to the treatment recommended/provided.” The *Model Guidelines for the Appropriate Use of the Internet in Medical Practice*, adopted in May 2002, established practice standards for physicians utilizing the Internet in their practices. Included are the necessity for an appropriate physician-patient relationship and compliance with state and federal laws. Copies of both documents are available on the FSMB website at www.fsmb.org. To date, 26 state medical boards have adopted guidelines, policy or issued a statement regarding Internet medical practice in their states.

Purchases

The responsibilities of the Clearinghouse include purchasing medications from suspected “rogue” websites and pursuing complaints against associated physicians and pharmacists. Clearinghouse staff placed two orders for medication in the second quarter of 2005. Overall, the staff has placed 46 orders, with 42 being approved.

www.drugs-pharmacy.com

An order for Cialis was placed and approved in April, with shipment arriving in early May. The pharmacy was located in Alabama, the website was based in Georgia, and the prescribing physician is currently licensed in California and Nevada.

www.web-meds.com

An order for Levitra was placed and approved in June. According to information provided from the website, the website is based in North Carolina, and the pharmacy and prescribing physician were the same as for the previous order to www.drugs-pharmacy.com.

News of Interest

- Cyveillance, a provider of online risk monitoring and management solutions, examined 1,009 online “Canadian” pharmacies. According to a press release dated June 13, 2005, of those sites examined, only 214 “had any registration data indicating a registrant or owner address located in Canada.” Other sites claiming to be Canadian were located primarily in the United States as well as other countries.
- The Ryan Haight Act remains pending before both the House and the Senate. Many state medical boards supported this legislation in recent months through a letter-writing campaign seeking support from their state delegations.
- An Internet pharmacy in Minnesota was shut down in May following an investigation by the FBI, DEA, and FDA. Christopher Smith, the website owner, is one of the world’s 200 worst spammers, according to spam tracking service Spamhaus.

- The DEA announced the results of Operation “Cyber Chase,” a year-long joint investigation that targeted international Internet pharmaceutical traffickers in the United States, India, Asia, Europe and the Caribbean. These e-traffickers distributed drugs worldwide through a network of “rogue” Internet pharmacies. Types of drugs supplied via this network included Schedule II-V controlled substances. Twenty arrests were made across the United States and four foreign countries.
- DEA launched a toll-free international hotline in January 2005: 1 (877) RxAbuse (792-2873) for the public to anonymously report the illegal sale and abuse of prescription drugs.

Federal Perspective

The Food and Drug Administration warns consumers about purchasing medicines and medical products online, cautioning consumers about counterfeit or contaminated medicines. Further, consumers who order medicine based on an online questionnaire without seeing a doctor may not receive appropriate treatment, as a questionnaire does not provide a health care professional with sufficient information to determine whether a drug is safe for use. These topics are covered in detail on FDA’s website in a number of documents that can be found here: <http://www.fda.gov/importeddrugs/>. The FDA also focuses on other aspects of online pharmacies, including the proper packaging and storage of medication, proper labeling, and the importation of medication from outside the United States. To comply with federal law, a drug may be prescribed only on the basis of a valid prescription. The FDA relies primarily on individual state requirements for defining what constitutes a valid prescription.

Coming Attractions

After the first issue of *Rx Beat* was released, several requests were received for information on disciplinary actions against physicians who prescribe medicine on the Internet. If your state issues a disciplinary action against a physician for issues related to Internet prescribing, please notify the Clearinghouse and information such as the physician name, specific violation, and final disciplinary action will be included in future editions of the newsletter. Thanks for the feedback!

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