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June 23, 2014

Howard Zucker, M.D., J.D.
Commissioner
New York State Department of Health
Corning Tower, Office of the Commissioner
Empire State Plaza
Albany, New York 12237

Dear Dr. Zucker:

We are writing to you today as a follow-up to a letter we wrote to Commissioner Shah on January 27, 2014 (attached). In the letter we asked for the Department's recommendations on entering into collective agreements with states around New York, such as New Jersey, Connecticut, Pennsylvania, Massachusetts and Vermont to monitor all controlled substance prescription activity, share and pool information to identify those who have been travelling across state lines in order to illicitly obtain multiple prescriptions for narcotic pain-killers. Unfortunately, we did not receive a reply.

As you probably are aware, this week Governors of five New England states met to devise a strategy to combat the increase in overdoses and deaths opioid abuse. They agreed to share data across their borders and also work out treatment options.

In light of this article and with the Governor's recently released 11 program bills to address drug and alcohol abuse issues in our state, it is our hope to collaborate with the New York State Department of Health to further confront the issue which has wreaked havoc upon communities across the state. Prescription drug abuse has become a statewide epidemic, and has hit our own community on Staten Island especially hard, destroying lives and tearing families apart. When the state attorney general identified the five New York City neighborhoods with the highest per capita rates of narcotic prescriptions, four of them were here on Staten Island, making this an issue of personal concern for us.

As you know legislation we enacted into law in 2012 cracks down on the overprescribing of addictive, potentially deadly prescription painkiller medications. The Internet System for Tracking Over-Prescribing (I-STOP) Act established a real-time database which tracks controlled substance prescriptions issued by every doctor in the state of New York, with certain exceptions. This database allows doctors and pharmacists to have access and to keep track of all of the controlled substance prescriptions their patients are receiving. Its purpose is to stop overprescribing, and curb the practice of 'doctor shopping.' We believe it already is saving thousands of lives.

However, the problems of overprescribing and prescription drug abuse do not cease at the state lines of New York State. New Yorkers who seek to abuse prescription drugs can still escape identification by I-STOP merely by crossing our porous borders into another state. From my own community of Staten Island, three out of four bridges off the island lead into New Jersey, allowing drug abusers to easily 'doctor shop' across state lines. Downstate residents can effortlessly escape into New Jersey or Connecticut to seek additional prescriptions, while upstate residents can cross the border into Pennsylvania, Massachusetts, or Vermont.

As we pointed out to Commissioner Shah, unfortunately at the present time there is no federal database equivalent to the I-STOP program. However, the New York State Department of Health does have the power to crack down upon interstate 'doctor shopping' and overprescribing. By entering into collective agreements with the states around New York, we can agree to share and pool information and monitor all controlled substance prescription activity across our state.

Therefore, we formally request that the Department of Health pursue all available options seeking to establish individual information-sharing agreements with other states, or a regional agreement, to close this interstate loophole. We urge you to act as swiftly as possible in implementing such agreements. New York State was on the fore-front of this deadly epidemic by enacting into law a real-time database to track overprescribing and the reporting of controlled substance prescriptions. Now, we are being left behind by sitting back and watching the Governors of our surrounding states spring into action.

Please feel free to contact us on this important matter for additional information. We look forward to hearing from you soon.

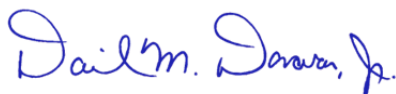
Sincerely,



Michael J. Cusick
Member of Assembly



Andrew Lanza
Member of Senate



Daniel Donovan
Staten Island District Attorney

ENCLOSURES