

### Arizona State Board of Pharmacy (Board)

#### Performance Audit and Sunset Review

Board did not sufficiently enforce compliance with State Controlled Substances Prescription Monitoring Program (CSPMP) requirements, limiting the program's effectiveness and exposing the public to increased risk of prescription drug misuse; and did not resolve complaints in a timely manner, which may negatively affect patient safety

#### Audit purpose

To determine if the Board met its responsibilities for ensuring compliance with the CSPMP, issued licenses and permits to qualified applicants in a timely manner, resolved complaints timely, and provided information to the public as statutorily required; and to respond to the 10 statutory sunset factors.

#### Key findings

- Board is responsible for regulating the practice of pharmacy in Arizona, including licensing practitioners, inspecting facilities, investigating unprofessional conduct by licensees, and operating and monitoring the CSPMP, which is intended to track controlled substance prescriptions and dispensations to Arizona residents.
- Board issued most licenses and permits to qualified applicants and within time frames required by rule.
- Board did not verify whether pharmacists it oversees complied with requirements to review the CSPMP prior to dispensing controlled substances because pharmacies are not required to identify pharmacists in the CSPMP, and did not immediately notify pharmacies that failed to report dispensations to the CSPMP daily.
- As of June 2024, thousands of prescribers had not registered with the CSPMP and practitioners had issued more than 15,000 prescriptions without using the CSPMP. The Board lacks the resources to timely identify and report all noncompliance to other professional licensing boards responsible for enforcing CSPMP requirements with their licensees and the authority to compel action beyond issuing notifications.
- Unaddressed CSPMP noncompliance potentially impacts the State's ability to receive CSPMP benefits, including deterring drug abuse and reducing public health risks.
- Board did not resolve within 180 days 46% of complaint investigations it opened in fiscal year 2024, which may negatively affect patient safety and unduly burden licensees under investigation for lengthy periods of time.

#### Key recommendations

The Board should:

- Verify whether pharmacists complied with statutory requirements to review the CSPMP before dispensing any Schedule II controlled-substance prescription and notify pharmacies of discrepancies in required daily dispensation reporting within 24 hours of identified noncompliance.
- Work with the Governor and Legislature to establish a working group to develop a strategy for identifying noncompliant prescribers in the CSPMP, and increase its review of potentially noncompliant prescribers.
- Investigate and resolve complaints within 180 days.

The Legislature should:

- Consider revising statute to require all practitioners who prescribe Schedule II–V drugs in Arizona to obtain a single, Board-issued and enforced controlled-substance CSPMP registration or clarify whether professional licensing boards are required to take enforcement action when their licensees violate CSPMP requirements.