

Supporting Statement for Paperwork Reduction Act Submissions
Prescription Drug Monitoring Program Questionnaire
1117-0037

Part A. Justification

1. Necessity of Information

The information to be collected with the Prescription Monitoring Program Questionnaire is used to respond to Congressional inquiries, requests for information from State agencies, as well as inquiries from organizations representing States with prescription monitoring programs. This information collection is strictly voluntary; there is no legislative or regulatory mandate for this collection. However, 21 U.S.C. 872(a)(5) states that the Attorney General, and by delegation the Administrator of DEA, is authorized to carry out educational and research programs directly related to enforcement of the law concerning drugs. Such programs may include studies to develop more effective methods to prevent diversion of controlled substances into illegal channels. Prescription Monitoring Programs collect prescription information electronically from pharmacies and the data is analyzed by State agencies. This analysis assists in the identification of “doctor shoppers”, over-prescribers, and in some States patients that are in need of referral for drug abuse treatment. These programs also result in increased investigative efficiencies. The Attorney General in 21 U.S.C. 873(a)(6)(B) shall cooperate with local , State, and Federal agencies in suppressing the diversion of controlled substances from legitimate medical, scientific, and commercial channels by providing advice to State and local governments on the methods by which such governments may strengthen their controls against diversion. Again, prescription drug monitoring programs are a way to strengthen controls against diversion of controlled substances by monitoring the prescriptions written.

2. Needs and Uses

DEA relies on the information collected to gain a better understanding of State programs.

3. Use of Technology

DEA is providing this questionnaire on paper, but permits States to complete the questionnaire electronically if they so desire. It is assumed that all States complete the questionnaire electronically.

4. Efforts to Identify Duplication

The only other known source for some of the information requested in the questionnaire is from the National Alliance for Model State Drug Laws, which, like DEA, uses information supplied by States with prescription monitoring programs to assist other

States in establishing or enhancing programs. However, the information collected by the Alliance is not as extensive as what is being requested herein.

5. Methods to Minimize Burden on Small Businesses

This collection of information does not impact small businesses or small entities. DEA has limited the amount of information requested in this voluntary questionnaire to ensure a minimal burden. Information being requested from State agencies charged with operating prescription monitoring programs is maintained as a normal course of operation of these programs. This information is requested annually rather than more frequently.

6. Consequences of Less Frequent Collection

Not collecting this information would hinder DEA's efforts to assist States with prescription monitoring programs, a tool used to prevent, detect, and investigate the abuse and diversion of pharmaceutical controlled substances.

7. Special Circumstances Influence Collection

There are no special circumstances influencing this collection.

8. Reason for Inconsistencies with 5 CFR 1320.6

DEA maintains continual liaison effort with State agencies operating prescription monitoring programs. DEA meets regularly with State authorities governing controlled substances to discuss policies, programs, and regulations.

9. Payment or Gift to Claimants

No gifts or remunerations are given to respondents.

10. Assurance of Confidentiality

This information collection does not request provision of confidential information.

11. Justification for Sensitive Questions

This information collection does not request information of a sensitive nature.

12. Estimate of Hour Burden

It is estimated that fifty States and the District of Columbia will participate in this information collection. DEA estimates that it will take each State 5 hours to read this questionnaire, gather the requested information, and provide the information to DEA. Thus, the annual burden is 255 hours.

There are no costs associated with this information collection aside from the \$10 hourly charge to fulfill this information collection.

51 states x 5 hours per state to complete the annual questionnaire = 255 annual burden hours.

255 annual burden hours X \$10 hourly charge = \$2,550

13. Estimate of Cost Burden

There are no costs associated with this collection.

Twenty-six states submit questionnaire responses on paper. Respondents are assumed to submit their questionnaire to DEA by a package service (standard overnight package of less than 8 ounces). This service is estimated to cost \$15.

26 responses X \$15 = \$390

14. Estimated Annualized Cost to Federal Government

The questionnaire is maintained, and information is compiled and evaluated by a GS-343-12, Program Analyst. Maintenance and distribution of the questionnaire takes 0.1 percent of the analyst's time. Compilation and evaluation of the information takes 5.9 percent of the analyst's time.

GS-343-12-5 (6% of time): \$6,363

There is no actual cost to the Federal Government as all costs are recovered through fees charged to registrants pursuant to the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act.

15. Reasons for Change in Burden

There has been no change in burden. All fifty States and the District of Columbia are provided with questionnaires.

16. Plans for Publication

No complex analytical techniques are used in the compilation of data requested by these questionnaires. DEA requests information from these questionnaires annually. Information is compiled to allow DEA to respond to Congressional inquiries, State inquiries, and inquiries from other interested organizations.

17. Expiration Date Approval

DEA is not seeking such approval.

18. Exceptions to the Certification Statement

There are no exceptions to the certification statement.

Part B. Statistical Methods

The Drug Enforcement Administration will not be employing statistical methods in this information collection.