



## **Accurate Clinic**

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### ***Accurate Education***

## **Pharmacy 50 Mile Policies**

Starting recently with Walgreens, some pharmacies including some CVS pharmacies, appear to have engaged new policies regarding filling opioid prescriptions from physicians located more than a 50 mile radius from their pharmacy location.

In the case of Walgreens, their policy appears to stem from a recent multimillion dollar judgment against Walgreens by the Department of Justice for their failure to monitor their opioid dispensing practices which contributed to the opioid "epidemic." With respect to CVS and other pharmacies who appear to be implementing this 50 mile policy, no explanation is being given to justify the policy. Physicians have not been notified by these pharmacies of their new policy nor have they received any inquiries from any of these pharmacies regarding the nature of their pain management practice. It simply appears to be a decision for which there is no rational argument related to patient safety or well-being.

Understand that these policies are detrimental to everybody, including those who fill within a 50 mile radius. These policies drive patients to other pharmacies that will impact those pharmacies' ability to maintain adequate opioid supplies to meet the needs of their pain patient community. It appears that the DEA and/or the pharmaceutical distributors are restricting the number of opioids available to pharmacies who dispense to chronic pain patients who need these medications. It also appears that they are restricting the number of patients pharmacies are allowed to dispense opioids to, not necessarily based on opioid supply.

### **Opioid Related Deaths**

The argument behind these policies appears to be an effort to reduce opioid related overdose deaths. As everyone knows, this is a false argument. By restricting access to appropriate pain management and pain medications, this will only increase opioid related overdose deaths.

It is well documented that the opioid related deaths do not stem from prescription medications provided by physicians managing pain. The deaths are related to patients acquiring illicit medications that are mostly related to fentanyl in those medications. It has also been shown that a large number, estimated at 61%, of the opioid related deaths from these medications are associated with patients with chronic pain seeking relief of their pain because they were unable to access appropriate medical care or medications. This is a fact. This is not just about problems with opioid addiction. It's people who simply have severe chronic pain that are suffering and dying as well.

This abominable situation is placing a burden on all pain patients' abilities to access appropriate management of their chronic pain. It is getting much more difficult for legitimate pain management patients to obtain their medications, even from their pharmacies who have previously provided their medications for years.

### **Restricting a Patient's Right to Select Their Own Physician**

By limiting a patient's ability to select their own physician and fill that physician's prescriptions in their own community, it restricts a patient's access to proper medical care of their choice. It is not always feasible, financially, or otherwise, for a patient to travel distances outside their community to find a pharmacy without such restrictive policy as is the case in rural Louisiana. Furthermore, restricting a patient's ability to select their own physicians is unethical in itself. Patients should have a right to select physicians of their choice and not be bound by geographic limitations.

## Accurate Clinic

The Accurate Clinic pain management practice is unique in this state. No other practice in Louisiana provides its level of services. Accurate Clinic offers the only integrative pain management program that offers such an extensive range of evidence-based alternative options for managing chronic pain, including extensive complementary and alternative medications, traditional Chinese medicine, including acupuncture, and free access to a physical therapist. Accurate Clinic provides extensive educational resources and time to patients seeking alternative approaches for management of chronic pain in an effort to rely as little as possible on opioids. Because Accurate Clinic is unique in the state of Louisiana, patients may have to travel more than 50 miles to obtain such expertise and support.

Patients should not be restricted access to a medical practice because a pharmacy deems my practice too far away from their location. This would not happen for patients seeking management of their cancer. Why should it happen to patients seeking management of their chronic pain, particularly if that management is actually safer and more effective?

## No Justification

There is simply no justification for 50 mile policies. Such policies are not only unethical and immoral, they defy public interest in terms of safety, They are also potentially illegal because they discriminate against patients with medical conditions requiring chronic opioids. This type of discrimination is illegal.

Patients should challenge any pharmacist refusing to fill their prescription to justify their refusal. Question the pharmacist about their knowledge of the physician's pain management practice or whether they have reached out to the prescriber to discuss the safety and appropriateness of their prescription. Would they refuse to fill non-opioid prescriptions because of the 50 mile argument, and if so, why not opioids? Certainly there are many non-opioid and non-controlled medications that represent significant safety concerns that should be prescribed only by someone with appropriate expertise. Are these medications restricted by the 50 mile radius as well? If not, why not?

## Do Something

It is time for patients and ethical pharmacists alike to respond to this shameful situation. Please contact pain advocacy organizations and get their help **or give them help** in fighting this. Contact the Board of Pharmacy and voice your complaints. Contact local news organizations and voice your concerns and ask them to help publicize these atrocities.

Talk to attorneys if you can, a class action lawsuit should be engaged. If you are socially active on the Internet, create a blog, do a YouTube channel to get your voices heard. Most importantly, **contact your state representatives, both congressman and senators**. We have a senator who is a physician. Let them know that if they want your vote they better step up to this problem and that you will be watching them. Emphasize they will not get your vote if they don't do something about it.

Please, **make your voice heard**. Because if you do not, this situation will continue to get worse. **Boycott** any pharmacy engaging these unethical 50 mile policies and let them know you are boycotting them for their policies. Organize with other patients in your situation. Talk to an attorney.

Good luck, you have my sympathy and support.

Eric Ehlenberger MD.

