

CONTROLLED SUBSTANCES

TREATMENT AGREEMENT GEORGIA

STATE SPECIFIC

Required by State (when prescribing a Schedule II or III controlled substance for 90 (ninety) consecutive days or greater for the treatment of chronic pain):¹

- If arising from conditions that are not terminal or patients who are not in a nursing home or hospice:
 - A physician must have a written treatment agreement with the patient and shall require the patient to have a clinical visit at least once every three (3) months, while treating for pain, to evaluate the patient's response to treatment, compliance with the therapeutic regimen and any new condition that may have developed and be masked by the use of Schedule II or III controlled substances.
 - The requirement of a visit at a minimum of once every three months can be waived and the clinical visit be at least once per year if the doctor determines there is a substantial hardship and documents such hardship in the patient's record or if the morphine equivalent daily dose ("MEDD") is 30 mg or less.
- If arising from conditions that are not terminal or patients in a nursing home or hospice:
 - A physician must monitor compliance with the therapeutic regimen.
 - Body fluid analysis (drug screens) must be performed at least four times a year on a random basis or done at the same frequency proportionate to the period of treatment.
 - Exceptions to the requirement of a clinical visit once every three (3) months may be made for hardship in certain cases and such hardship must be well documented in the record. The exception to this monitoring is when the morphine equivalent daily dose ("MEDD") is 30 mg or less. In that case fluid monitoring shall be performed at least once per year.

Recommended by State:

No recommendations.

ADDITIONAL CONSIDERATIONS COMMON IN OTHER STATES

Considerations:

- The physician should provide reasons for which drug therapy may be discontinued, such as violation of the treatment agreement.
- The patient should receive prescriptions from one physician/practice, with that physician/practice designated in the agreement.
- The patient should have prescriptions filled at one pharmacy, with the name and phone number of the pharmacy designated in the agreement.
- The physician's prescribing policies, including, for example, the number and frequency of prescription refills, a policy regarding early or urgent refills, and a policy regarding replacement of lost or stolen medication, etc.

TO CONSIDER FROM OTHER STATES

Considerations:

- The patient is responsible for safely using medication, meaning that the patient should store the medication in a secure location and safely dispose of any unused medication.
- The goals of treatment.
- The physician will be available during emergencies or otherwise have a covering physician available in the event that unforeseen problems arise and to prescribe scheduled refills.
- Discuss any monitoring tools that the physician wishes to use, such as pill counts.
- The patient is prohibited from sharing, giving, or selling any medication to others.
- If the physician becomes concerned that there has been illegal activity, the physician may notify the authorities.
- The patient provides informed, written consent for release of the agreement to local emergency departments and/or pharmacies; therefore, other providers such as ER personnel or pharmacists may report violations of the agreement back to the prescribing physician.
- The prescriber's responsibility to provide referrals to substance abuse counseling when the abuse potential is present and also for failed drug screens.
- The patient may be responsible for keeping a pain diary or a diary of daily accomplishments.

- If the patient violates the terms of the agreement, those violations and the physician's response to them will be documented along with the rationale for changes in the treatment plan.

INFORMED CONSENT GEORGIA

STATE SPECIFIC

Required by State:¹

- When initially prescribing a controlled substance, informed consent shall be obtained.

Recommended by State:²

- The physician should discuss the risks and benefits of the use of controlled substances with:
 - The patient;
 - Persons designated by the patient; or
 - The patient's surrogate or guardian if the patient does not have decision making capacity.
- Explain the differences between physical dependence, tolerance, and addiction.

TO CONSIDER FROM OTHER STATES

Considerations:

- Inform the patient of the potential side effects (short- and long-term) of the prescribed medication.
- Inform the patient of the likelihood that tolerance and/or physical dependence on the prescribed medication will develop.
- The patient's diagnosis.
- Inform the patient of the risk of the prescribed medication interacting with other drugs and of over-sedation.
- Inform the patient of the risks of impaired motor skills that affect driving among other tasks.
- Inform the patient of the limited evidence as to the benefit of long-term opioid therapy.
- Inform the patient of the risks of opioid misuse, dependence, addiction, and overdose.

- Inform female patients of alternative treatment options to opioid therapy.
- Inform the patient that one of the risks of opioid therapy is death.
- Inform the patient of the risks of withdrawal.
- Alcohol should not be used in combination with the prescribed opioid.
- All medications from other sources, including over the counters and medical marijuana, should be discussed and documented in the medical record.
- Note that compliance with all components of the overall treatment plan is expected.
- Periodic re-evaluation of treatment is needed.
- The patient has the option to consent to the sharing of information with family members and other providers, as necessary.
- Educate the patient and caregivers about the danger signs of respiratory depression and that someone should summon medical help immediately if a person demonstrates signs of respiratory depression while on opioids.
- Ensure the patient does not have any absolute contraindications and review risks and benefits related to any relative contraindications with the patient.

NOTE: This resource covers only informed consent and treatment plan requirements; there may be many other requirements, such as limitations on the quantity of medication prescribed, etc.

¹ Ga Comp. R. & Regs. 360-3-.06. Pain Management.

² Georgia Composite State Board of Medical Examiners, *Guidelines for the Use of Controlled Substances for the Treatment of Pain: Ten Steps*, <http://medicalboard.georgia.gov/sites/medicalboard.georgia.gov/files/Pain-Management-Guidelines.pdf> (Accessed January 2017).

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