

# CONTROLLED SUBSTANCES

---

## TREATMENT AGREEMENT INDIANA

---

### STATE SPECIFIC

#### Required by State (For Opioid Prescribing):<sup>1</sup>

- The goals of treatment.
- The patient's consent to drug monitoring testing in circumstances where the physician determines that drug monitoring testing is medically necessary.
- The physician's prescribing policies, which must include at least a:
  - Requirement that the patient take the medication as prescribed; and
  - Prohibition of sharing medication with other individuals.
- A requirement that the patient inform the physician:
  - About any other controlled substances prescribed or taken by the patient; and
  - If the patient drinks alcohol while taking opioids.
- The granting of permission to the physician to conduct random pill counts.
- Reasons the opioid therapy may be changed or discontinued by the physician.

#### Recommended by State:

- 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.<sup>2</sup>

### 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 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 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 would like to implement.
- If the physician becomes concerned that there has been illegal activity, the physician may notify the authorities.
- 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

## INDIANA

---

### STATE SPECIFIC

#### Required by State (For Opioid Prescribing):<sup>1</sup>

- The physician shall discuss with the patient the potential risks and benefits of opioid treatment for chronic pain, as well as expectations related to prescription requests and proper medication use.
- Where alternative modalities to opioids for managing pain exist for a patient, discuss them with the patient.
- Counsel women between fourteen (14) and fifty-five (55) years of age with child bearing potential about the risks to the fetus when the mother has been taking opioids while pregnant. Such described risks shall include fetal opioid dependency and neonatal abstinence syndrome (NAS).
- Discuss with the patient risks of dependency and addiction.
- Discuss with the patient safe storage practices for prescribed opioids.

- Provide a written warning to the patient disclosing the risks associated with taking extended release medications that are not in an abuse deterrent form, if the physician prescribes for the patient a hydrocodone-only extended release medication that is not in an abuse deterrent form.

Recommended by State:

*No recommendations.*

## **TO CONSIDER FROM OTHER STATES**

Considerations:

- Inform the patient of potential side effects (short- and long-term) of the prescribed medication.
- 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 likelihood that tolerance to the prescribed medication will develop.
- Inform the patient of the risks of opioid misuse, dependence, and overdose.
- 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.**

---

<sup>1</sup> 844 IAC § 5-6-5. Physician Discussion with Patient; Treatment Agreement.

<sup>2</sup> Indiana Medical Board, *Indiana Pain Management Prescribing: Final Rule*, <http://www.ismanet.org/pdf/legal/IndianaPainManagementPrescribingFinalRuleSummary.pdf> (Accessed May 2015).

Compliments of:



Call (800) 245-3333  
Email [TheProgram@prms.com](mailto:TheProgram@prms.com)  
Visit us [www.psychprogram.com](http://www.psychprogram.com)  
Twitter @PsychProgram

*The content of this resource ("Content") is for informational purposes only. The Content is not intended to be a substitute for professional legal advice or judgment, or for other professional advice. Always seek the advice of your attorney with any questions you may have regarding the Content. Never disregard professional legal advice or delay in seeking it because of the Content.*