



Opioid 411

micro drip study guide

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Liability

Criminal

Actions Against your Veterinary License



There is definitely a push to increase liability for physicians and other prescribers when it comes to opioids. Now that liability can come from multiple sources. We obviously have criminal liability under the Controlled Substances Act, or the state equivalent. These cases are usually brought by federal prosecutors, and the behavior is usually pretty egregious.



Here's one, however, where the veterinarian just failed to inventory and track controlled substances. Now this case didn't involve jail time. But the veterinarian settled the case for a \$226,000 fine. And he agreed to give up his veterinary license.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 03-12]

Daniel Koller, D.V.M., Denial of Application; Introduction and Procedural History

https://www.deadiversion.usdoj.gov/fed_regs/actions/2006/fr1117.htm

The DEA can also bring these actions against registrants, and they are public knowledge and part of the Federal Register. Usually these are veterinarians, the ones that the DEA brings the cases against, that are either abusing drugs themselves, or they are personally diverting and selling those drugs.



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The states can also bring criminal charges under their own Controlled Substances Act, especially when local or state police become involved. Now these cases are harder for me to find on a national level. Also, liability can occur at the state level with actions against your veterinary license. Again, this is by the state veterinary board. And this is probably where most of the liability sits. Because if a client complains and the case involves controlled substances, the state veterinary board gets involved.

When these cases get started, the veterinarian will be submitting their medical records and part of their controlled substance logs as part of the investigation. When the investigators or the state board start to see discrepancies in those records, or there's just an overall lack of records, that's where the action really takes off.

Keep in mind that these clients never file a complaint about controlled drug records. They file a complaint about a bad outcome or lack of communication. But the medical records and the controlled drug logs are what the board sees and that's where the violations occur.