



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Earl Ray Tomblin
Governor

Karen L. Bowling
Cabinet Secretary

MEMORANDUM

DATE: August 22, 2013
TO: All EMS Providers *mcab*
FROM: Michael Mills, DO
State EMS Medical Director
RE: DEA Compliance

We have been working with the DEA for several months constructing a policy that will assist Agencies to comply with the Federal Rule found in the Code of Federal Regulations (Title 21 CFR, Part 1300-1399) and the Controlled Substance Act. A policy has been developed and is now online. The DEA has been extremely generous and helpful in developing this policy. They plan to give WV EMS Agencies several months to come into compliance. This policy should provide a framework to prepare agencies for DEA inspection. DEA expects compliance and will enforce the federal rule should diversion become an issue.

Compliance with the DEA involves:

- Understanding the Controlled Substance Act
- Registering with the DEA
- Using DEA Form 222 to order medication
- Storage of medications in compliance with DEA Rules
- Maintaining an accurate inventory
- Restricting access to medications
- Dealing with breakage and spillage
- Dealing with diversion incidents and using DEA Form 106
- Using Form 41 and a reverse distributor to dispose of expired drugs.

All of this information can be found online at www.deadiversion.usdoj.gov

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