Quick Reference: Reporting Drug Diversion in New Jersey

According to the New Jersey Department of Law and Public Safety (NJLPS), through the Division of Consumer Affairs (DCA), drug diversion must be reported immediately to the Drug Control Unit and the Drug Enforcement Administration (DEA) upon discovery. Law enforcement should also be advised, and a police report obtained. The reporting requirements apply to practitioners and non-practitioners (e.g., wholesalers, pharmacies, distributors) who hold a controlled dangerous substance (CDS) permit. Failure to do so is considered a breach of professional responsibility and may subject the licensee to disciplinary action. To complete reporting obligations under N.J.A.C. 13:45H-2.4(c) and 2.5(d), the registrant must submit a Report of Theft or Loss of Controlled Substances (DDC-52 form) to the New Jersey Drug Control Unit upon discovery of any theft or loss. Select healthcare entities have separate reporting obligations under the Health Care Professional Responsibility and Reporting Enhancement Act (P.L. 2005, c. 83), and its implementing regulations, N.J.A.C. 13:45E, which establish how healthcare entities must report certain actions involving healthcare professionals to the DCA Clearinghouse Coordinator, how those reports are handled, and how information is shared with prospective employers.

- **File Applicable Form(s):** Complete the DDC-52 form and forward it via email to CDS@dca.njoag.gov. Complete the Health Care Professional Responsibility and Reporting Enhancement Act Reporting Form or Health Care Professionals Reporting Form and forward it via email to hcpreports@dca.njoag.gov.
- **Report Thefts Regardless of Recovery:** Thefts must be reported whether the drugs are subsequently recovered or if the responsible parties are identified.
- **Federal Requirements:** In addition to the state DDC-52, federal regulations require registrants to notify their local DEA Field Division Office in writing within one business day of discovery and submit DEA Form 106 through the DEA's secure network application.

Council of State and Territorial Epidemiologists. (2019, June). *Healthcare-associated infections (HAI) drug diversion planning and response toolkit for state and local health departments*. https://cdn.ymaws.com/www.cste.org/resource/resmgr/pdfs/pdfs2/Drug_Diversion_Toolkit_LiveL.pdf

New Jersey Department of Law and Public Safety, Division of Consumer Affairs. (2019, February 27). *New Jersey Controlled Dangerous Substances Act*. https://www.njconsumeraffairs.gov/Statutes/New-Jersey-Controlled-Dangerous-Substances-Act.pdf

New Jersey Office of the Attorney General, Division of Consumer Affairs, New Jersey Board of Nursing. (n.d.). *Reporting form for drug diversion and impairment* [PDF]. https://www.njconsumeraffairs.gov/nur/Applications/Reporting-Form-For-Drug-Diversion-and-Impairment.pdf

New Jersey Division of Consumer Affairs. (2005). *Health Care Professional Responsibility and Reporting Enhancement Act*. https://www.njconsumeraffairs.gov/Statutes/Health-Care-Professional-Responsibility-Act.pdf

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