

# CURES 2.0

## MANDATORY USE

### BEGINS OCTOBER 2, 2018



The Controlled Substance Utilization Review and Evaluation System (CURES) was certified for statewide use by the Department of Justice (DOJ) on April 2, 2018. Therefore, the mandate to consult CURES prior to prescribing, ordering, administering, or furnishing a Schedule II–IV controlled substance becomes effective on October 2, 2018. Visit [www.dca.ca.gov/cures/index.shtml](http://www.dca.ca.gov/cures/index.shtml) for detailed information regarding CURES 2.0.

*Note: The phrase “controlled substance” as used in this guide refers to a Schedule II, Schedule III, or Schedule IV controlled substance.*

## WHEN MUST I CONSULT CURES?

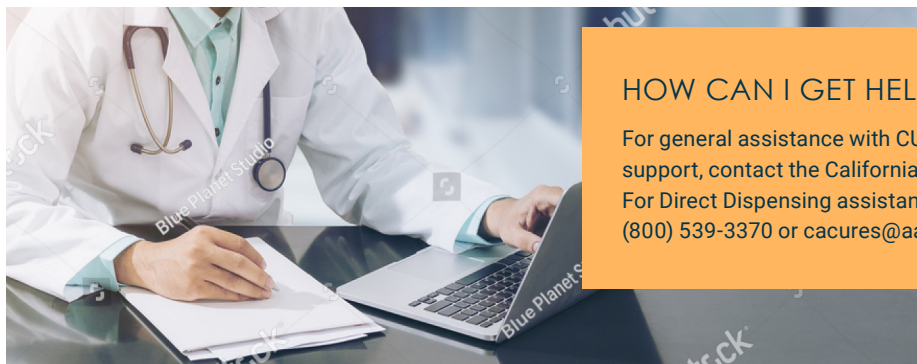
- The first time a patient is prescribed, ordered, administered, or furnished a controlled substance, unless one of the exemptions on back apply.
- Within the twenty-four hour period, or the previous business day, before prescribing, ordering, administering, or furnishing a controlled substance, unless one of the exemptions on back apply.
- Before subsequently prescribing a controlled substance, if previously exempt.
- At least once every four months if the controlled substance remains a part of the patient’s treatment plan.

## ARE THERE ANY PROTECTIONS FOR PRESCRIBERS?

- There is no private cause of action for a prescriber’s failure to consult CURES.
- For complete information on the mandatory requirement to consult CURES, please read HSC § 11165.4.
- If you have any further questions, please seek legal counsel.

“First time” is defined as the initial occurrence in which a health care practitioner intends to prescribe, order, administer, or furnish a controlled substance to a patient and has not previously prescribed a controlled substance to the patient.

— Health and Safety Code (HSC), § 11165.4(a)(1)(B)



## HOW CAN I GET HELP WITH CURES?

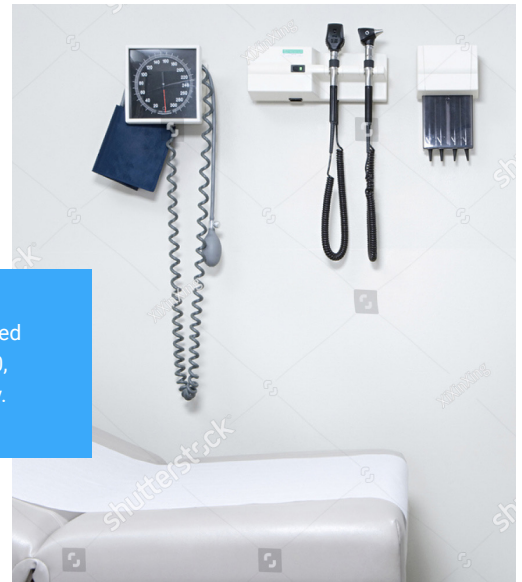
For general assistance with CURES, including training and CURES usage support, contact the California DOJ at (916) 210-3187 or [CURES@doj.ca.gov](mailto:CURES@doj.ca.gov). For Direct Dispensing assistance, contact Atlantic Associates, Inc. at (800) 539-3370 or [cacures@aainh.com](mailto:cacures@aainh.com).

## WHAT EXEMPTIONS ARE THERE TO CONSULTING CURES?

- A health care practitioner is exempt from consulting the CURES database before prescribing, ordering, administering, or furnishing a controlled substance in any of the following circumstances:
  - While the patient is admitted to, or during an emergency transfer between a
    - Licensed Clinic, or
    - Outpatient Setting, or
    - Health Facility, or
    - County Medical Facility
  - In the emergency department of a general acute care hospital, and the controlled substance does not exceed a non-refillable seven-day supply.
- As part of a patient's treatment for a surgical procedure, and the controlled substance does not exceed a non-refillable five-day supply when a surgical procedure is performed at a
  - Licensed Clinic, or
  - Outpatient Setting, or
  - Health Facility, or
  - County Medical Facility, or
  - Place of Practice
- The patient is receiving hospice care.
- What if it is not reasonably possible for a prescriber to access the information in CURES in a timely manner?
  - If another individual with access to CURES is not reasonably available, a five-day supply of the controlled substance can be prescribed, ordered, administered, or furnished as long as there is no refill allowed. In addition, the prescriber must document in the medical records the reason for not consulting CURES.
- What if I determine that consulting CURES would result in a patient's inability to obtain a prescription in a timely manner and thereby adversely impact the patient's medical condition?
  - A prescriber may provide a non-refillable five-day supply if they make this determination. The prescriber must document in the medical records the reason for not consulting CURES.

The facilities listed are specifically defined in statute commencing with HSC § 1200, § 1248, § 1250, and § 1440, respectively.

"Place of Practice" is defined as a Dental Office pursuant to Business and Professions Code § 1658.



### WHAT IF I EXPERIENCE TECHNICAL DIFFICULTIES WITH CURES?

There are exemptions to consulting CURES if there are technical difficulties accessing CURES, such as CURES is temporarily unavailable for system maintenance, or you experience temporary technological or electrical failure and CURES cannot be accessed (e.g., power outage due to inclement weather).

A prescriber should contact the CURES Help Desk at (916) 210-3187 or [cures@doj.ca.gov](mailto:cures@doj.ca.gov) for assistance accessing their CURES account.

*Note: A prescriber must, without undue delay, seek to correct any cause of the temporary technological or electrical failure that is reasonably within their control.*



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