

Better Investigation of Drug Diversion Cases

The HOPE Act enables local law enforcement authorities to better investigate specific cases of suspected drug diversion by providing access to prescription data in the state Controlled Substances Reporting System (CSRS) and access to records of individual pharmacies, with appropriate training and safeguards



Certified Diversion Investigator

A law enforcement officer affiliated with a qualified local law enforcement agency takes an approved course in drug diversion and is then certified as a diversion investigator by the NC Sheriffs' Education and Training Standards Commission or the NC Criminal Justice Education and Training Standards Commission.



Certified Diversion Supervisor

The head of a municipal police department, county police department, sheriff's department, or other local law enforcement entity – or the designee of the agency head with supervisory authority over that agency's diversion investigators – takes an approved course in drug diversion and is then certified as a diversion supervisor by the NC Sheriffs' Education and Training Standards Commission or the NC Criminal Justice Education and Training Standards Commission.



Qualified Law Enforcement Agency

A municipal police department, county police department, sheriff's department, or other local law enforcement entity that employs a certified diversion supervisor and a certified diversion investigator.



Bona Fide Active Drug Investigation

The request for CSRS data must relate directly to a bona fide active investigation involving enforcement of laws governing licit or illicit drugs.



Consequences for Misuse of Data (new for all law enforcement & government officials)

- ✓ *Negligent disclosure / suspension & retraining.* Negligent disclosure of CSRS data leads to one-year suspension of CSRS access and mandatory retraining, and in the second instance (within two years of the first) leads to permanent suspension of access to CSRS.
- ✓ *Knowing disclosure / class 3 misdemeanor.* Knowing disclosure of CSRS data for an unauthorized purpose is a class 3 misdemeanor.
- ✓ *Willful and malicious disclosure / class I felony.* An individual who willfully and maliciously obtains, discloses, or disseminates Rx information with the intent to use such information for commercial advantage or personal gain, or to maliciously harm any person, shall be guilty of a Class I felony.



Audit Trail

The conditions above create an audit trail that may be used to investigate or prosecute violations. The NC State Bureau of Investigation may investigate suspected violations.