



E-FORCSE® Information Security and Privacy Training Course

Florida Department of Law Enforcement
Bureau of Training

Florida Department of Health
E-FORCSE

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Health Care Information Security & Privacy

Law Enforcement Officer Ethical Standards of Conduct

Rationale for Rule 8.1

Police officers are entrusted with vast amounts of private and personal information. Police officers must maintain the confidentiality of such information to protect the privacy of the subjects of that information and to maintain public faith in the officer's and Department's commitment to preserving such confidences.

Florida Department of Law Enforcement

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Health Care Information Security & Privacy

893.0551 Public records exemption for the prescription drug monitoring program.-

(6) An agency or person who obtains any confidential and exempt information pursuant to this section must maintain the confidential and exempt status of that information and may not disclose such information unless authorized by law....

(7) A person who willfully and knowingly violates this section commits a felony of the third degree...

Florida Statutes

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E-FORCSE® Information Security and Privacy Training Course

What is E-FORCSE?

Practically every state in the U.S. has a Prescription Drug Monitoring Program (PDMP). They have been an effective solution nationwide for reducing both doctor shopping and diversion of controlled substances.

Florida's PDMP, known as *E-FORCSE*, was created by the Legislature in 2009. The Florida Department of Health manages E-FORCSE as set forth in section 893.055(2)(a), Florida Statutes.

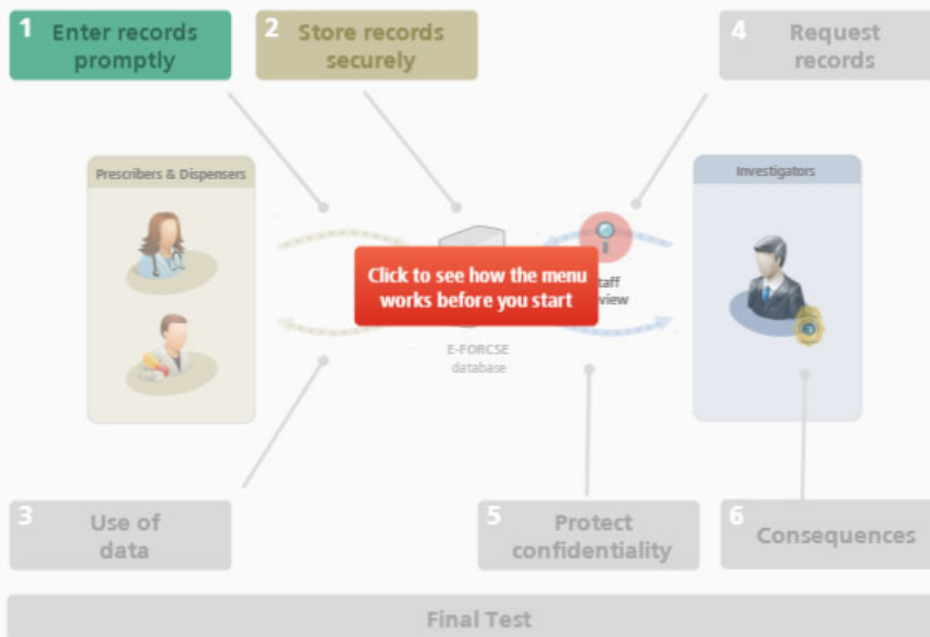
[Click here to learn more about E-FORCSE](#)



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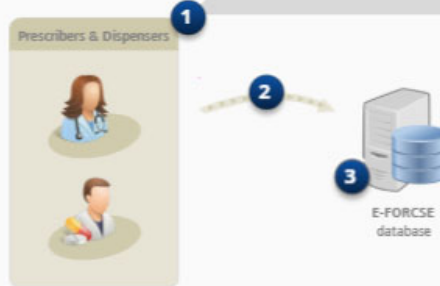
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Dispensers submit records to the database

Click the blue markers to see how dispensers create and enter prescriptions.

What do they report?

Every time a **controlled substance** is dispensed to a person, the **pharmacist or dispensing practitioner** is required to report it to the E-FORCSE.



Look for blue words...

When you see a **blue** word, you can click it to see the original statute.

They aren't required reading. The final test covers main content, not the details in these pop-up screens. Try it!

Dispensers submit records to the database

Click the blue markers to see how dispensers create and enter prescriptions.

When do they report?

The prescription drug information is to be reported as soon as possible but no later than the close of the **next business day**.

This quick timeframe ensures that health care practitioners have up-to-date information for making sound prescribing and dispensing decisions.



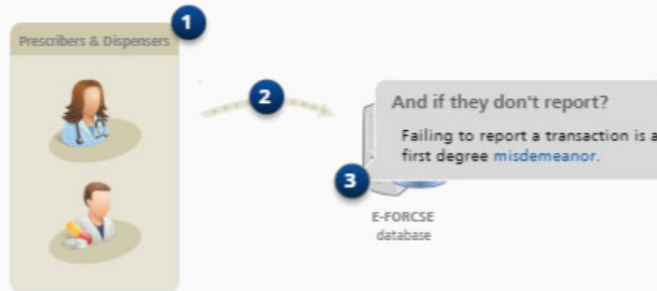
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Dispensers submit records to the database

Click the blue markers to see how dispensers create and enter prescription drug transactions.

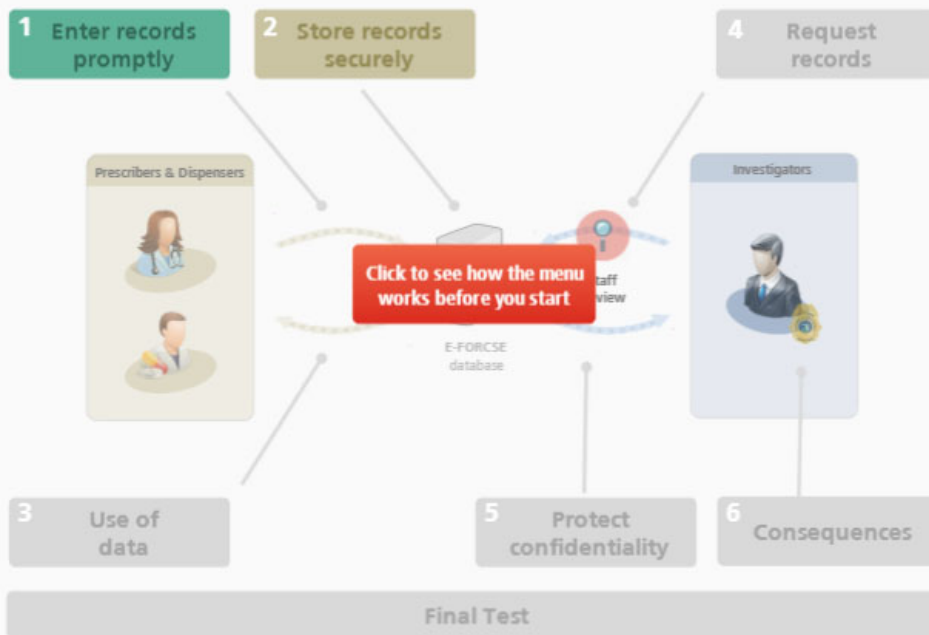


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Store PDMP data

E-FORCSE can be an effective tool for identifying and prosecuting criminal activity related to controlled substances, but only when detailed data is available -- data that can launch and guide a thorough investigation. The list below shows clearly how sensitive this information is and why you must protect it.

Click the four categories of information below to see data collected for each one.

Prescriber information

- Full Name
- Address
- Drug Enforcement Agency (DEA) number
- National Provider Identification (NPI) number

Dispenser information

- Full name
- Address
- Drug Enforcement Agency (DEA) number
- National Provider Identification (NPI) number

Prescription information

- Date dispensed
- Date prescribed
- Drug name
- Strength
- National Drug Code (NDC number)
- Quantity
- Days supply
- New prescription/refill
- Payment method

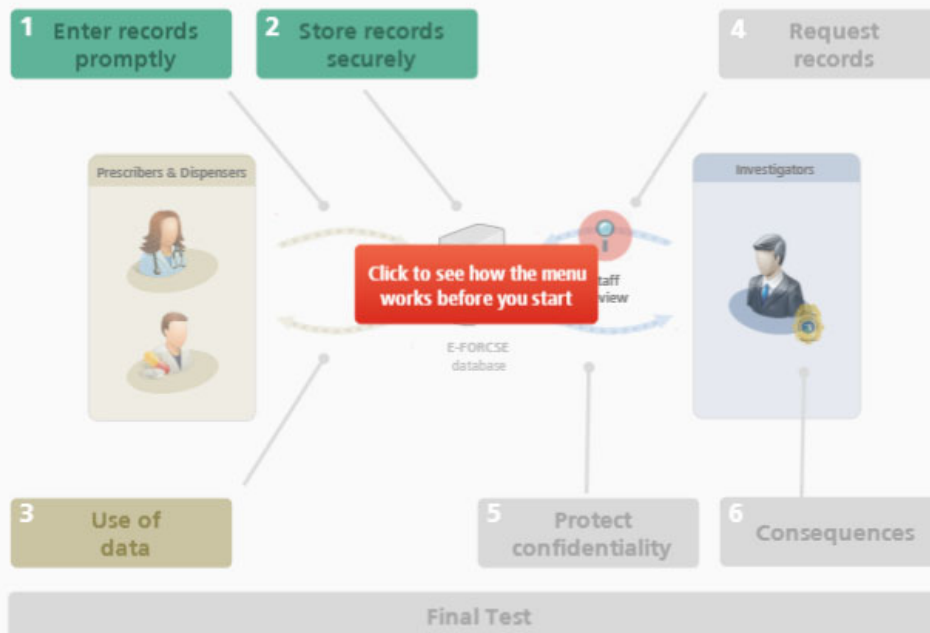
Patient information

- Full name
- Address
- Telephone number
- Gender
- Date of birth
- Name of person picking up prescription

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How health care practitioners use records

It may help you to have a balanced view of E-FORCSE's benefits. You just heard that prescribers and dispensers can use E-FORCSE reports when they suspect criminal activity. As you'll see below, they also use reports to improve health care outcomes. Reports can supplement their patient evaluation, confirm the patient's prescription history, document compliance with a therapeutic regimen, and identify potentially hazardous or fatal interactions.

Click each title below to see more.

Value of data to health care practitioners

The prescribing and dispensing information collected in the database is [available](#) to health care practitioners so they can make informed decisions about prescribing and dispensing these highly abused prescription drugs.

Patient Advisory Reports (PAR)

A prescriber or dispenser who wants to view patient-specific information can run a search to generate a patient advisory report (PAR). Health care practitioners are encouraged to use these reports to improve patient care and confirm the patient's prescription drug history.

The PAR may also help a practitioner identify patients who are doctor shopping or trying to obtain multiple prescriptions for controlled substances from multiple health care practitioners, which is a felony in Florida.



Check your learning

You've finished the first three topics:

1. *How health care practitioners enter records*
2. *What information they enter*
3. *How they can use that information*

Before you move on, answer a few questions to check your learning and help prepare you for the final test.

[Start Practice](#)

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Every time health care practitioners dispense a controlled substance, they must enter a transaction record into E-FORCSE no later than...

- next business day.
- 7 business days.
- 3 business days.
- 5 business days.

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On the list below, select the data items that are collected in the E-FORCSE database. (Select all that apply.)

- Prescriber name
- Treatment history
- Dispenser name
- Payment method
- Prescription quantity
- Drug manufacturer
- Drug distributor

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From the list below, select the ways that E-FORCSE can be a valuable tool for those who prescribe and dispense controlled substances. (Select all that apply.)

- Reviewing a PAR before writing a prescription
- Identifying signs of doctor shopping
- Confirming a patient's drug history
- Reviewing drug history before dispensing controlled substances
- Maintaining accurate drug inventory

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Any health care practitioner who fails to report the dispensing of a controlled substance commits a _____.

- first degree misdemeanor
- second degree misdemeanor
- first degree felony
- second degree felony

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When a prescriber or dispenser requests information for reviewing a patient's controlled substance prescription history, they will receive a _____.

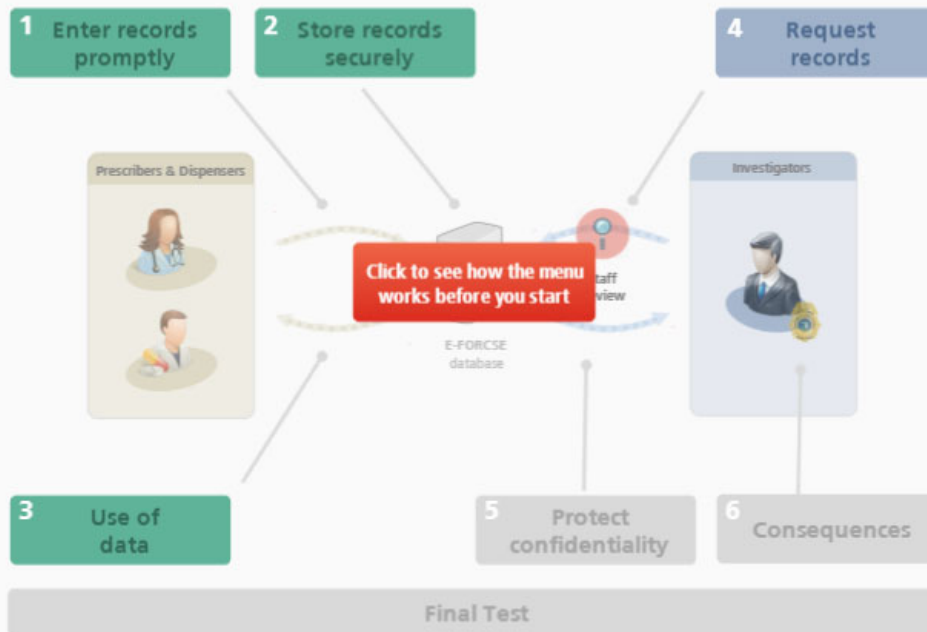
- Controlled Substance Inventory Update
- Patient Advisory Report
- Prescription Distribution Record
- Recipient History Review

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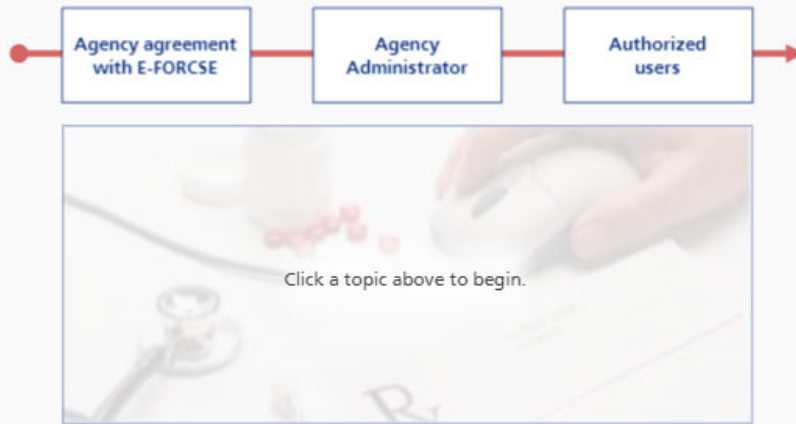
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Request E-FORCSE records

As you've seen, prescribers and dispensers have *direct access* to the E-FORCSE database. They enter a record each time they dispense a *controlled substance*, and they can receive PARs.

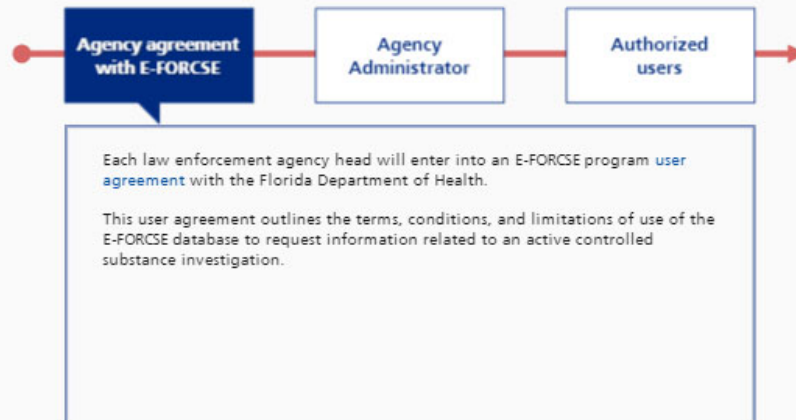
Law enforcement agencies (LEA) don't have direct access to data, but they can request *indirect access* to records for investigating potential *criminal activity* regarding prescribed controlled substances. LEA access is indirect because each query you submit must be reviewed and approved by the E-FORCSE staff. Here's what must happen before you submit your first request:



Request E-FORCSE records

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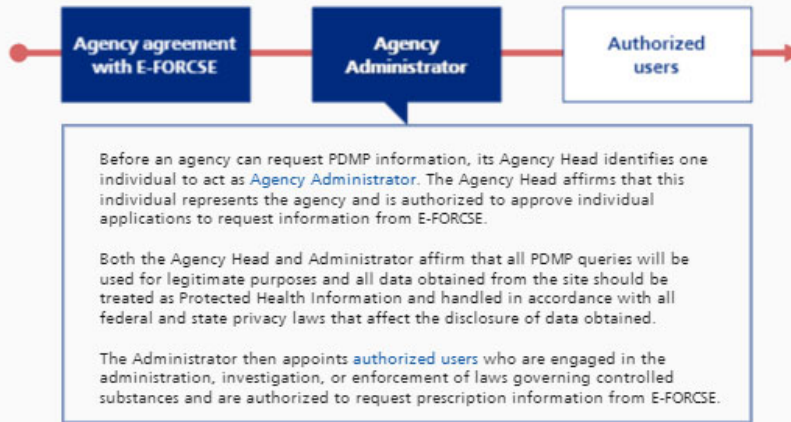


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Request E-FORCSE records

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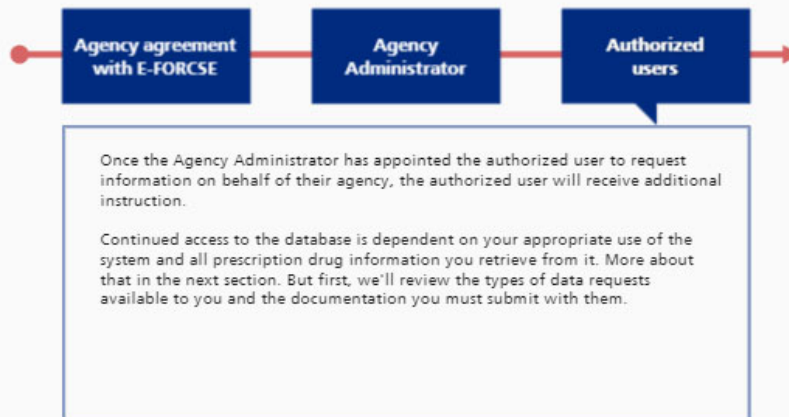
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Retrieving information from the database

Each investigation will guide the query type and content. What is most important here? Understand what constitutes unauthorized use of E-FORCSE. As with any criminal justice database, temptations must be avoided. E-FORCSE protects the confidentiality of the prescription information of all Floridians through strict guardrails, enforcing tougher standards than those set by the *Health Insurance Portability and Accountability Act* (HIPAA). E-FORCSE staff closely monitors requests to ensure they meet statutorily mandated requirements to protect data against unauthorized release from the database.

Q1

What types of queries can I submit?

Once you have authorized access, you'll be able to run these types of queries.

- Recipient Query - request information about recipient usage of controlled substances
- Prescriber Query - request information about the controlled substances prescribing history of selected prescribers
- Pharmacy Query - request information about the controlled substances dispensing history of selected dispensers (dispensing pharmacies or dispensing practitioners)

Q2

What queries are considered "Unauthorized Use"?

Q3

What if I have questions about using E-FORCSE?

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Retrieving information from the database

Each investigation will guide the query type and content. What is most important here? Understand what constitutes unauthorized use of E-FORCSE. As with any criminal justice database, temptations must be avoided. E-FORCSE protects the confidentiality of the prescription information of all Floridians through strict guardrails, enforcing tougher standards than those set by the *Health Insurance Portability and Accountability Act* (HIPAA). E-FORCSE staff closely monitors requests to ensure they meet statutorily mandated requirements to protect data against unauthorized release from the database.

Q1

What types of queries can I submit?

Q2

What queries are considered "Unauthorized Use"?

Misusing E-FORCSE information is a **serious breach**. Read these examples carefully:

- Personal use
- Requests not related to a legitimate purpose
- Requests on behalf of another law enforcement agency
- Disseminating, sharing, or passing of this confidential information to an unauthorized person

Q3

What if I have questions about using E-FORCSE?

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Retrieving information from the database

Each investigation will guide the query type and content. What is most important here? Understand what constitutes unauthorized use of E-FORCSE. As with any criminal justice database, temptations must be avoided. E-FORCSE protects the confidentiality of the prescription information of all Floridians through strict guardrails, enforcing tougher standards than those set by the *Health Insurance Portability and Accountability Act* (HIPAA). E-FORCSE staff closely monitors requests to ensure they meet statutorily mandated requirements to protect data against unauthorized release from the database.

Q1	What types of queries can I submit?
Q2	What queries are considered "Unauthorized Use"?
Q3	What if I have questions about using E-FORCSE?

Additional resources:

Prior to appointment as an authorized user, you will be required to review the *Training Guide for Enforcement and Investigative Agencies*, which provides detailed instructions on requesting and receiving queries, monitoring their status, and understanding investigative reports.

Tips from users:

- There are *no substitutes* for the official agency case number.
- The case number has to tie to the officer making the request.
- Reports will not include records for persons under the age of 16 who have received controlled substances.

Demonstrate that you have a legitimate query

Statutes specify that each query must clearly document the law enforcement agency and the active investigation prompting the request.

Law Enforcement Agency

Active Investigation

The request must demonstrate that it's coming from a [law enforcement agency](#). If you clicked the blue link, you saw that "law enforcement agency" means:

- The Florida Department of Law Enforcement
- A Florida sheriff's department
- A Florida police department
- A law enforcement agency of the Federal Government which enforces the laws of this state or the United States relating to controlled substances, and which its agents and officers are empowered by law to conduct criminal investigations and make arrests

Demonstrate that you have a legitimate query

Statutes specify that each query must clearly document the law enforcement agency and the active investigation prompting the request.

Law Enforcement Agency

Active Investigation

An "active investigation" is defined in statute as "an investigation that is being conducted with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings, or that is ongoing and continuing and for which there is a reasonable, good faith anticipation of securing an arrest or prosecution in the foreseeable future."

The request must therefore demonstrate that there's cause to believe there has been "a specific violation of law regarding prescription drug abuse or diversion of prescribed controlled substances." These would include violations commonly known as "doctor shopping," "prescription fraud," and "pill mill" activities.

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Check your learning

You've finished topic 4: *Request E-FORCSE Records*

Before you move on, answer a few questions to check your learning and help prepare you for the final test.

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You read about direct access and indirect access to the E-FORCSE database. Now you'll demonstrate that you know who has what kind of access and why.

Drag these onto the boxes below to make two sentences.
Click Submit when done.

cannot enter records and must have all requests reviewed and authorized by E-FORCSE staff.	Prescribers and dispensers
can enter records and retrieve reports on request.	Law Enforcement officers

Drop people here have direct access because they Drop action here

Drop people here have indirect access because they Drop action here

Submit

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1. You saw the three steps that move a law enforcement agency from No E-FORCSE Access to Full Access. Drag and drop those three steps onto the correct box.
2. Each of the three remaining items gives more detail. Drag and drop them below the steps.

Drag these onto the boxes below.
Read carefully!
Click Submit when done.

Agency Head appoints an Administrator, who supervises all use of the E-FORCSE database	Agency enters into E-FORCSE user agreement with the Department of Health	Users are authorized to submit queries related to controlled substance investigations
--	--	---

Step 1 Step 2 Step 3

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1. You saw the three steps that move a law enforcement agency from No E-FORCSE Access to Full Access. Drag and drop those three steps onto the correct box.

2. Each of the three remaining items gives more detail. Drag and drop them below the steps.

Drag each to the step it describes.

Click Submit when done.

These people create accounts and receive log in information for access to the E-FORCSE database.	This outlines the terms, conditions, and limitations of use of the E-FORCSE database	This person affirms that each user is authorized to have access to the E-FORCSE database.
--	--	---

Agency enters into E-FORCSE user agreement with the Department of Health	Agency Head appoints an Administrator, who supervises all use of the E-FORCSE database	Users are authorized to submit queries related to controlled substance investigations
<i>More detail</i>	<i>More detail</i>	<i>More detail</i>

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Once authorized users register and receive their E-FORCSE login information, their Agency Administrator will approve and their accounts.

- True
- False

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Which of these are types of queries authorized users can submit? (Select all that apply.)

- Juvenile query
- Pharmacy query
- Prescriber query
- Recipient query
- Drug treatment query

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Which of these are examples of **MISUSING** the E-FORCSE database and/or its data? (Select all that apply.)

- In search for a missing person
- For personal use
- On behalf of another law enforcement agency
- To share with an unauthorized person

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A query submitted to the E-FORCSE staff for review and approval must demonstrate that request originates from a **law enforcement agency**. Which of the following are listed in Florida Statutes as a law enforcement agency?

- The Florida Department of Law Enforcement
- The Florida Department of Corrections
- A Florida sheriff's department
- A Florida police department
- A Federal law enforcement agency that enforces laws relating to controlled substances, is empowered to conduct criminal investigations, and makes arrests

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A query submitted to the E-FORCSE staff for review and approval must demonstrate that it is prompted by an **active investigation**. Select all the items below that are acceptable indication of an active investigation.

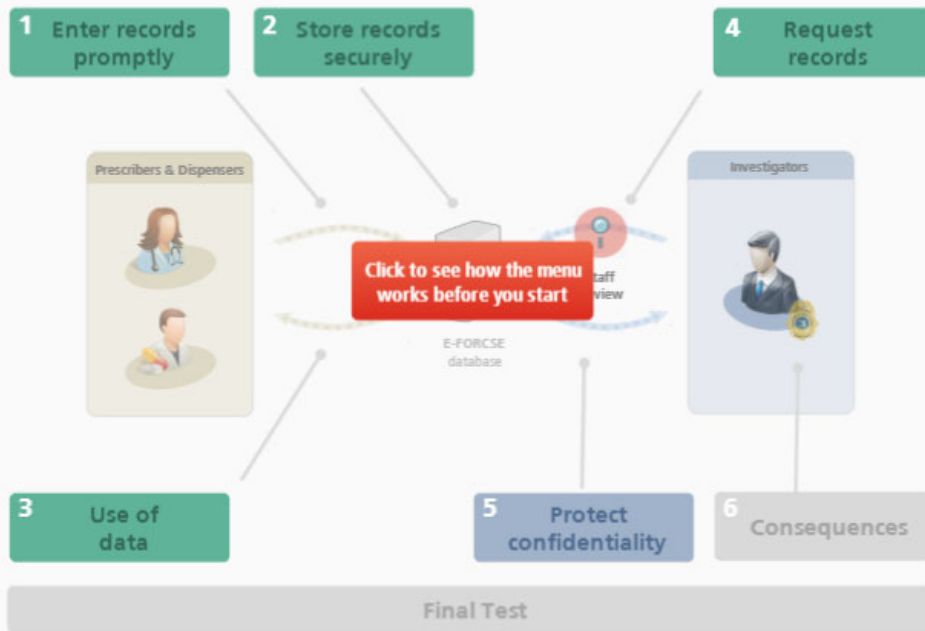
- Cause to believe there has been a specific violation of law regarding prescription drug abuse or diversion of prescribed substances
- An expectation that a sufficiently broad search of the E-FORCSE database can reveal suspicious activity
- A reasonable belief there will be a filing of administrative, civil, or criminal proceedings
- Anticipation of securing an arrest or prosecution in the foreseeable future

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Protect confidentiality

CONFIDENTIAL

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Protect confidentiality

The E-FORCSE Program takes seriously its responsibility to protect sensitive information from unauthorized access and use. The servers that house the data are physically protected from intrusion. The data is digitally protected against cyber attacks through advanced hardware and software.

Florida Statutes require that you, as the authorized user, continue those protections. Check each item below when you have read and understood it.

Handling Confidential and Exempt Information

- You will request information from the E-FORCSE database only when there is an active investigation of a violation of controlled substance fraud or diversion.
- The information you receive is confidential and will be communicated only by you, the authorized user who requested it, and only within the law enforcement agency authorizing your request.
- You will use the information only on the investigation for which you originally requested it.

Guarding digital data from unauthorized access

- You will store the information in a place that is physically secure so that unauthorized persons cannot access or view it.
- You will not, under any circumstances, give unauthorized persons access to the E-FORCSE database by sharing your login information with them.
- You will prevent persons from using a computer that holds E-FORCSE information so that no unauthorized person can review, transfer, or copy this confidential information.

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Disclosing E-FORCSE information to a Criminal Justice Agency (CJA)

You've just read that you cannot communicate E-FORCSE information outside the law enforcement agency (LEA) that requested and received it.

There is one, and only one, exception.

You may disclose information to a "criminal justice agency (CJA)."

The one exception: a criminal justice agency

A Criminal justice agency is:

- (a) Any law enforcement agency, court, or prosecutor;
- (b) Any other agency charged by law with criminal law enforcement duties;
- (c) Any agency having custody of criminal intelligence information or criminal investigative information for the purpose of assisting such law enforcement agencies in the conduct of active criminal investigation or prosecution or for the purpose of litigating civil actions under the Racketeer Influenced and Corrupt Organization Act, during the time that such agencies are in possession of criminal intelligence information or criminal investigative information pursuant to their criminal law enforcement duties; or
- (d) The Department of Corrections.

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Making the transfer from LEA to CJA

When a law enforcement agency decides to disclose confidential E-FORCSE information to a criminal justice agency, they will follow specific protocols.

These steps are designed to ensure continued protection of sensitive data.

LEA transfers information to the CJA

What must you do?

- The LEA must **maintain** an auditable, continuous chain of custody record of transfer.
- The LEA must **redact** all information not the subject of the investigation.
- The LEA must **label** all information:
"CONFIDENTIAL: This information obtained from E-FORCSE contains confidential controlled substance prescription dispensing information."



CJA receives information from the LEA

What must they do?

- The CJA is responsible for **maintaining** confidentiality of information.
- The CJA uses it only in the investigation for which it was **originally requested**.

Making the transfer from LEA to CJA

When a law enforcement agency decides to disclose confidential E-FORCSE information to a criminal justice agency, they will follow specific protocols.

These steps are designed to ensure continued protection of sensitive data.


Click on these final two topics about protecting confidential information.

No other exceptions!

- You will disclose E-FORCSE information to a **state attorney** only in response to a discovery demand related to a criminal case.
- When Information appears in an E-FORCSE report that is **unrelated** to the investigation for which it was approved, you will disclose it only upon a court order of competent jurisdiction.

Last step: Purging E-FORCSE records

Note: Information received by an Agency should only be retained until the investigation or prosecution is complete and will thereafter be destroyed..

 **Check your learning**

You've finished topic 5: *Protect confidentiality*

Before you move on, answer a few questions to check your learning and help prepare you for the final test.

[Start Practice](#)

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Drag and drop three boxes into each of the two drop zones. Click Submit to check answers.

Using and Communicating E-FORCSE Information	Physically and Digitally Protecting E-FORCSE Information
Drop here	Drop here
Store printed information so no unauthorized person can access or view it	Use only on the investigation for which it was requested
Share only within the agency that requested it	Keep E-FORCSE user ID and password away from unauthorized people
Share only by the investigator who requested it	Use a computer that no unauthorized person can access

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Drag and drop the boxes into the two drop zones. Click Submit to check answers.

Before you hand off information to a CJA, you must:	When handing off information to a CJA, emphasize:
Drop here	Drop here
Use this information only in the investigation for which the original LEA requested it	Label all information as CONFIDENTIAL according to Florida Statutes
Maintain ongoing confidentiality and protection of confidential information	Create an auditable, continuous chain of custody record of transfer
Redact all information not the subject of the investigation	

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You'll recall that you cannot communicate E-FORCSE information outside your agency. However, there was one exception. You may disclose this confidential information to a Criminal Justice Agency (CJA). There are two other circumstances when you might be asked to disclose the information.

Drag each item on the right to an item on the left to create two correct sentences. Click the Submit button to check your answer.

You will disclose E-FORCSE information to a state attorney	only upon a court order of competent jurisdiction.
You will disclose E-FORCSE information that is unrelated to the investigation for which it was approved	only in response to a discovery demand related to a criminal case.

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How long can Agencies may retain E-FORCSE information?

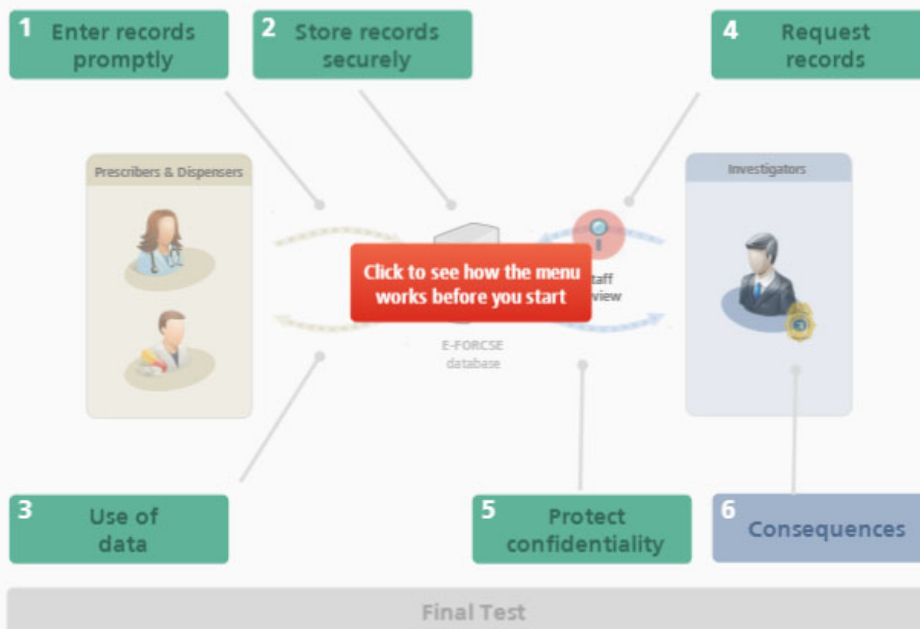
- until instructed by Agency Administrator
- for five to seven years
- for up to eighteen days
- until the investigation or prosecution is completed

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Accountability and Consequences



Accountability and Consequences

Accountability: You recall that each law enforcement agency enters into a user agreement with the Florida Department of Health. The agency, in effect, delegates responsibility for appropriate and lawful use of E-FORCSE records to the agency administrator, who in turn holds you, the agency's authorized user, accountable for your handling of confidential E-FORCSE information. You may not be aware that your agency administrator Reports History tracking page is updated each time you request E-FORCSE information. That notification equips the administrator to provide responsible oversight.

Consequences: As you'll see below, improper handling of confidential E-FORCSE information is a serious matter, one that can end a law enforcement career.

Suspension of Access

Legal Consequences

If the E-FORCSE Program staff becomes aware of an authorized user's alleged **failure to protect** confidentiality, the Program Manager will suspend the user's access and notify the Agency Administrator of the suspension within one business day of discovery.

The Agency Administrator will investigate the alleged compliance failure and report the findings to the Program Manager.

The Program Manager shall determine whether the authorized user's access should be reinstated.

Accountability and Consequences

Accountability: You recall that each law enforcement agency enters into a user agreement with the Florida Department of Health. The agency, in effect, delegates responsibility for appropriate and lawful use of E-FORCSE records to the agency administrator, who in turn holds you, the agency's authorized user, accountable for your handling of confidential E-FORCSE information. You may not be aware that your agency administrator Reports History tracking page is updated each time you request E-FORCSE information. That notification equips the administrator to provide responsible oversight.

Consequences: As you'll see below, improper handling of confidential E-FORCSE information is a serious matter, one that can end a law enforcement career.

Suspension of Access	Legal Consequences
<p>Any person who willingly, knowingly, and unlawfully discloses confidential E-FORCSE information commits a felony of the third degree.</p> <p>A person who has been convicted for a felony of the third degree may be punished by a term of imprisonment for up to 5 years. If the person has a history of felonies, this imprisonment term can be even greater.</p> <p>In addition, a person who has been convicted for a felony of the third degree may be fined up to \$5,000.</p> <p><i>With a felony conviction, you may find it very difficult to keep your job as a sworn officer and to find another one.</i></p>	



Check your learning

You've finished topic 6: *Protect confidentiality*.
You're almost done.

Before you move on, answer a few questions to check your learning and help prepare you for the final test.

Start Practice

E-FORCSE® Information Security and Privacy Training Course

Scenario: The E-FORCSE Program Manager has just learned that an authorized user emailed confidential query results to a former colleague who recently retired from the department.

The Program Manager takes steps (listed below) as outlined in Florida Administrative Rules. Drag and drop those steps to put them in the correct order.

1. Program Manager determines whether to reinstate user's account.
2. Program manager notifies the Agency Administrator of the suspension within one business day.
3. Program Manager immediately suspends the user's account.
4. Agency Administrator reports findings to Program Manager.
5. Agency Administrator investigates the alleged compliance failure.

Submit

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Any person who willingly, knowingly, and unlawfully discloses confidential E-FORCSE information commits a _____.

- first degree misdemeanor
- second degree misdemeanor
- first degree felony
- second degree felony
- third degree felony

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A person who has been convicted for a felony of the third degree may be punished by a term of imprisonment for up to _____.

- 5 years
- 15 years
- 30 years

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In addition, a person who has been convicted for a felony of the third degree may be fined up to _____.

- \$500
- \$1,000
- \$5,000
- \$15,000

Submit

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E-FORCSE® Information Security and Privacy Training Course

Final Test

Successful completion of this course fulfills the security and privacy training requirements for law enforcement and investigative agencies to request and receive confidential and exempt health information from the E-FORCSE database. It also satisfies the statutory mandated continuing training for maintenance of an officer's certification in Florida.

To receive your certificate of completion and credit for this course, please enter the requested information below.

Please type your name...

First and last name

and date of birth.

mm/dd/yyyy

Done

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Which of these data items is collected in the E-FORCSE database?

- Medical diagnosis
- Patient driver's license number
- Prescription quantity
- Prescription Expiration date

Submit

An investigator must document that each query he or she submits is part of an active investigation. Which of these is **NOT** acceptable documentation?

- A temporary identifying number for use until an agency case number is created
- Expectation that there will be a filing of administrative proceedings
- Cause to believe there has been a violation of controlled substance laws
- Anticipation of securing a prosecution in the near future

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Every time health care practitioners dispense a controlled substance, they must enter a transaction record into E-FORCSE no later than..

- the 3rd business day
- the 7th business day.
- the next business day.
- the 10th business day.

Submit

An authorized user will request information from the E-FORCSE database **only** when there is an active investigation of a violation of controlled substance fraud or diversion.

- True
- False

Submit

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An authorized user may disclose E-FORCSE information that is unrelated to the investigation for which it was approved to a state attorney **only** in response to a discovery demand related to a criminal case.

- True
- False

Submit

An investigator will use the information retrieved through an E-FORCSE query **only** on the investigation for which he or she originally requested it.

- True
- False

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The information an investigator receives through an E-FORCSE query is confidential and will be communicated **only** by the authorized user who requested it and **only** within the law enforcement agency authorizing the query.

- True
- False

Submit

Scenario: I am investigating a battery case and think drugs might have been involved. Although this is not yet a drug abuse investigation, I would like to see if the victim is on the list maintained by the E-FORCSE Program. Can I submit a query?

- Yes
- No

Submit

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Scenario: I work for a police department and use the E-FORCSE database in my doctor shopping investigations. A deputy sheriff called about an urgent missing persons case and believes information in the database could help them locate the individual. Can I use the identifying information he gave me to search the database and assist with this important case?

- Yes
- No

Submit

Scenario: I work for the Sheriff's Office and learned from E-FORCSE that a close friend of mine is obtaining unusual quantities of controlled substances. If I could use that information to help him turn things around, it might save him and his family. Can I use E-FORCSE information in this situation?

- Yes
- No

Submit