



October 15, 2019

Drug Enforcement Administration
Attn: DEA Federal Register Representative/DRW
DEA-508P
8701 Morrisette Drive
Springfield, VA 22152

RE: Controlled Substances Quotas [Docket No. DEA-508P]

Submitted electronically via www.regulations.gov

Dear Acting Administrator Uttam Dhillon:

I am writing on behalf of the Ambulatory Surgery Center Association (ASCA), representing the interests of the nation's 5,800 Ambulatory Surgery Centers (ASCs). We appreciate the opportunity to comment on the US Drug Enforcement Administration (DEA) proposed rule regarding controlled substances quotas. Although we strongly support DEA's efforts to combat the diversion of drugs, we are concerned that the proposed rule is focused on diversion to the exclusion of another critical factor – drug shortages. We urge the DEA to avoid taking any actions that will exacerbate drug shortages that already impact patient access to care and increase the cost of medicine.

Ambulatory surgery centers continue to face critical shortages of several injectable opioid medications, including fentanyl, sufentanil, and hydromorphone. Intravenous (IV) opioids are used in a variety of practice settings for the treatment of acute, acute on chronic, or chronic pain that cannot be managed because the patient has a contraindication for oral opioid medications. Some opioids, such as fentanyl, also are used for sedation. Injectable opioids are critical to treating the pain needs of patients undergoing surgery. Having diminished supply of these critical drugs, or no supply at all, can cause suboptimal pain control or sedation for patients, resulting in longer stays in facilities. Uncontrolled pain is also one of the top readmitting diagnoses for post-surgical patients, and these readmissions would only increase with a reduction in narcotic production. These unintended consequences will result in increased healthcare spending for patients and taxpayers.

We request that DEA reconsider the depth of the cuts to quotas for drugs that are currently in shortage. Thank you for your consideration of our comments. We continue to support DEA's efforts to combat the opioid crisis, and we stand ready to assist the agency in any way possible. If you have questions, please contact ASCA regulatory counsel, Kara Newbury, at knewbury@ascassociation.org or 703.636.0705.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Prentice", is written over a horizontal line.

William Prentice
Chief Executive Officer