

State Prohibits Three from Prescribing Controlled Substances

Prescribing practices pose imminent danger to the public

(Dover, Del.) – Secretary of State Jeffrey Bullock has suspended the Controlled Substance Registrations of two physicians and one nurse practitioner for prescribing practices which present an imminent danger to the public. According to orders signed by Secretary Bullock, it is alleged that Dr. Mohammed Niaz, Dr. Patrick Titus and Nurse Jean Binkley all overprescribed controlled substances and ignored evidence that some of their pain management patients were abusing or diverting the controlled substances.

The complaints against all three individuals allege that they overprescribed controlled substances to patients in amounts that exceed safe therapeutic levels without conducting proper medical examinations; without contacting patients' primary care or other treating physicians; without requesting medical records or ordering tests; without establishing any legitimate medical basis or need for medication; and without taking reasonable and necessary precautions to prevent illegal diversion of controlled substances.

"It is critically important that we prevent these three individuals from continuing to pose a significant risk to the public by removing their ability to prescribe controlled substances," said Secretary Bullock.

"These complaints contain the evidence necessary to immediately suspend the controlled substance registrations of Niaz, Titus and Binkley, but they do not represent the full magnitude of their professional misconduct," said Secretary Bullock. "There are a number of serious ongoing investigations

involving both doctors that we are working on with law enforcement, and those investigations, as well as the cases outlined in these complaints, have been referred for possible criminal prosecution.

The State alleges, that between January 1, 2011 and June 28, 2011, Dr. Mohammed Niaz wrote prescriptions for more than 57,000 tablets of controlled substances including more than 42,000 tablets of Oxycodone, a Schedule II narcotic. During that same period, Jean Binkley – a nurse practitioner with her own Controlled Substance Registration, but working under Dr. Niaz’s supervision – wrote prescriptions for more than 89,000 tablets of Oxycodone.

It is also alleged that, within a two-week period earlier this year, a patient filled prescriptions written by Niaz and Binkley for 360 tablets of Oxycodone 30 mg and 90 tablets of Alprazolam 1 mg. Both Niaz and Binkley voluntarily surrendered their Drug Enforcement Administration (DEA) registration to federal agents today.

In the case of Dr. Patrick Titus, records from one pharmacy show that between January 1, 2011 and November 18, 2011 he issued 3,941 prescriptions for nearly three-quarters of a million pills for 17 different Schedule II controlled pain medications including Oxycodone, Endocet, Oxycontin, Amphetamines, Fentanyl, and Morphine.

“Cases like these demonstrate the very serious prescription drug abuse problem in Delaware,” said Secretary Bullock. “We need to hold licensed professionals accountable for prescribing powerful controlled substances in unprofessional, irresponsible, and very dangerous ways. I want to thank the Office of Attorney General Biden, as well as the investigators at the Division of Professional Regulation, for all their hard work.”

Under Title 16, Section § 4734 of Delaware Code, the Secretary

of State may revoke or suspend an individual's Controlled Substance Registration upon finding that continued registration would be inconsistent with the public interest.

Anyone who is looking for help with a substance abuse issue can call the state's Crisis Intervention Hotline: 800-652-2929 (New Castle) / 800-345-6785 (Kent and Sussex).

If you are a patient of Niaz, Binkley or Titus and need pain management assistance, you have the right to obtain your patient files and consult another medical provider for treatment.

As a result of the actions taken this week, the status of all three professionals will be updated on the Division of Professional Regulation's online license verification service. This useful tool lists the status of 71,000 professional licensees in Delaware and can be accessed by visiting dpr.delaware.gov and clicking "Verify License Online." The mission of the Division of Professional Regulation is to ensure the protection of the public's health, safety and economic well-being through administrative and investigative services to Governor-appointed boards/commissions.