

## HIV Prevention and Treatment – The Threats of Illegal Online Drug Sellers to Public Health and Patient Safety

### New York City Healthcare Provider Factsheet

#### Progress towards ending the HIV epidemic in the U.S. has stalled

- After years of declines in annual new HIV infections, U.S. progress towards ending the HIV/AIDS epidemic has stalled. While annual infections have been reduced by more than two-thirds since the height of the epidemic, from 2013 to 2016 the number of new HIV cases per year was constant at 39,000, followed by a modest decline from 2016 to 2019.<sup>1, 2</sup>
- This leveling-off of annual new HIV infections has occurred despite the introduction of highly effective preventative measures, such as 2012 FDA approval of antiretroviral medications for pre-exposure prophylaxis (PrEP), which if taken as directed, can reduce the risk of HIV transmission to near-zero.
- Uptake of PrEP has been slow.
  - Of the estimated 1.2 million Americans at high risk for HIV infection, only 23% use PrEP.<sup>3</sup>
  - Barriers to PrEP use include lack of knowledge/awareness; provider bias and distrust of healthcare providers/systems; lack of access to medical care; and lack of access to (or awareness of) financial assistance options.<sup>4</sup>
- Diagnosis and adherence to treatment also remains a challenge.
  - HIV positive persons who achieve and maintain viral suppression by taking Antiretroviral Therapies (ART) can live long, healthy lives and pose effectively no risk of HIV transmission to their sexual partners<sup>5</sup>.
  - Yet a CDC analysis showed the vast majority of new HIV infections in the U.S. in 2016 (about 80%) were transmitted from the nearly 40% of people with HIV who either did not know they had HIV, or who had been diagnosed but were not receiving HIV care.<sup>6</sup>

#### Connecting HIV at-risk and persons living with HIV with PrEP and ART medications is key to ending the epidemic

- In response to these alarming trends, the U.S. Department of Health and Human Services (HHS) established [Ending the HIV Epidemic Initiative \(EHE\)](#), an operational plan to achieve a 75% reduction in new HIV infections by 2025 and a 90% reduction by 2030.
- Central to this initiative is preventing HIV transmission by connecting at-risk individuals and persons living with HIV with PrEP and ART medications.

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<sup>1</sup> <https://www.hiv.gov/hiv-basics/overview/data-and-trends/statistics#:~:text=According%20to%20the%20latest%20estimates,the%20United%20States%20in%202018.&text=Annual%20infections%20in%20the%20U.S.,epidemic%20in%20the%20mid%201980s>.

<sup>2</sup> <https://www.hiv.gov/federal-response/ending-the-hiv-epidemic/overview>

<sup>3</sup> <https://www.cdc.gov/nchstp/newsroom/2018/croi-2018-PrEP-press-release.html>

<sup>4</sup> <https://link.springer.com/article/10.1007/s12325-020-01295-0#Abs2>

<sup>5</sup> [https://www.cdc.gov/mmwr/volumes/68/wr/mm6811e1.htm?s\\_cid=mm6811e1\\_w](https://www.cdc.gov/mmwr/volumes/68/wr/mm6811e1.htm?s_cid=mm6811e1_w)

<sup>6</sup> [https://www.cdc.gov/mmwr/volumes/68/wr/mm6811e1.htm?s\\_cid=mm6811e1\\_w](https://www.cdc.gov/mmwr/volumes/68/wr/mm6811e1.htm?s_cid=mm6811e1_w)

- This approach has already proved effective in states such as New York, which in June 2014 announced a plan to end the state’s AIDS epidemic by improving access to PrEP as well as identifying persons with HIV that remain undiagnosed and linking them to HIV therapies<sup>7</sup>.
- In 2018, over half of newly diagnosed individuals in New York were virally suppressed within three months of diagnosis.<sup>8</sup> And in 2019, the State reached its lowest number of annual newly diagnosed HIV cases (1,772), a 70% decline since 2001<sup>9</sup>.
- In July 2019, New York’s Department of Financial Services instructed all insurers operating in the state to provide expanded access to PrEP through removal of any cost-sharing, including copays and deductibles.<sup>10</sup>

**But the threat of counterfeit, substandard and falsified HIV/AIDS medicines isn’t being discussed**

- A serious threat that has been overlooked in national and state-led public health initiatives, is the sale of diverted and falsified HIV medications on the black market, which has persisted since the mid 90’s<sup>11</sup>.
- In the last decade, substandard, falsified, or otherwise counterfeit drugs – including those for PrEP – have been found advertised and sold both in brick-and-mortar store locations and on illegal online pharmacy websites.
- Financial instability has been reported as one motivation for the illicit purchase and selling of antiretroviral medications (ARVs). Patients have been found to sell their legitimate HIV medications to subsidize their living. Others try to balance staying in budget while remaining adherent to their regimen by turning to the illicit market to find a cheaper deal.<sup>12</sup>
  - [2010] A Brooklyn couple was charged with selling large quantities of illegal prescription drugs, including HIV medications, obtained from a bodega owner in Brownsville, NY who was buying the drugs from patients with legitimate prescriptions.<sup>13</sup>
  - [2010] Law enforcement seized nearly 6,500 bottles of illegal prescription drugs including many for HIV, from a house in Yonkers. These drugs, worth a street value of \$4.25 million, were being repackaged to be sold to pharmacies in the Dominican Republic.<sup>14</sup>
  - [2016] A New York City pharmacist was charged with distributing HIV medication illegally obtained from the black market to patients, not only putting vulnerable patients at risk but also defrauding Medicaid of \$274 million.<sup>15</sup>
  - [2016] A man was charged in connection with a black-market distribution network that distributed bulk quantities of second-hand prescription HIV medications to unsuspecting customers. Many of these medications were obtained by purchasing the drugs from patients who were already prescribed the medication and then altering them to appear as though they hadn’t been opened.<sup>16</sup>
- A June 2020 analysis of Google and Bing search results for HIV medications generated from an IP address in the New York City area found that 29% of the results were for illicit internet pharmacies representing 127 unique websites.

<sup>7</sup> <https://www.governor.ny.gov/news/governor-cuomo-announces-plan-end-aids-epidemic-new-york-state>

<sup>8</sup> <https://www1.nyc.gov/assets/doh/downloads/pdf/dires/hiv-surveillance-annualreport-2018.pdf>

<sup>9</sup> <https://www1.nyc.gov/site/doh/about/press/pr2020/new-hiv-diagnoses-fall-to-historic-low.page>

<sup>10</sup> <https://www.governor.ny.gov/news/governor-cuomo-announces-new-actions-ensuring-health-insurers-provide-expanded-coverage-hiv>

<sup>11</sup> Ap. “AIDS Drugs Surface On Black Market.” *The New York Times*, The New York Times, 25 Dec. 1995, www.nytimes.com/1995/12/25/nyregion/aids-drugs-surface-on-black-market.html.

<sup>12</sup> <http://website60s.com/upload/files/9demand-and-supply-motivations.pdf>

<sup>13</sup> <https://www.snpsc.org/wp-content/uploads/2020/12/Annual-Report-2010.pdf>

<sup>14</sup> <https://www.snpsc.org/wp-content/uploads/2020/12/Annual-Report-2010.pdf>

<sup>15</sup> <https://ag.ny.gov/press-release/2016/ag-schneiderman-announces-trial-conviction-pharmacist-who-illegally-sold-black>

<sup>16</sup> <https://www.fda.gov/media/97792/download>

- This comes as no surprise, since 96% of the roughly 35,000 online pharmacies active worldwide operate in violation of state and/or federal law and pharmacy practice standards<sup>17, 18</sup>.
- These sites threaten American lives by selling medicines without a prescription, operating without a license, and peddling falsified, substandard, or unregistered/unlicensed products to US patients<sup>19</sup>.
- Falsified medicines often contain too much, too little or no active pharmaceutical ingredients; completely different pharmaceutical ingredients as noted on the label or other potentially deadly substances such as mercury, boric acid, anti-freeze, and even synthetic opioids such as fentanyl and its analogues<sup>20, 21</sup>.

### **Use of the Internet for healthcare and prescription medications is Increasing, but most are unaware of the risks**

- Nearly 55% of Americans report they would buy medicine online, mostly driven by convenience and cost, and more than one-third of Americans have already used an online pharmacy to buy medicines for themselves or someone in their care<sup>22</sup>.
- The growing demand for health care delivered virtually and more convenient, lower-cost medications has been accelerated by the COVID-19 pandemic: 31% of consumers who have bought prescription medication online did so for the first time in 2020<sup>23</sup>.
- This is a huge problem because large numbers of consumers misunderstand or underestimate the risk of illegal online pharmacies:
  - 7 in 10 Americans incorrectly believe that if a website appears higher in search results, it is likely to be legitimate.
  - 4 in 10 Americans erroneously believe that *all websites* offering healthcare services and/or prescription medications via the internet have FDA or state regulator sign off.
- Alarmingly, 1 in 3 Americans have discussed locating online pharmacies with a healthcare professional, but only half report that they have talked with their provider about the potential risks.

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<sup>17</sup> <https://nabp.pharmacy/wp-content/uploads/2018/09/Internet-Drug-Outlet-Report-September-2018.pdf>

<sup>18</sup> <https://nabp.pharmacy/wp-content/uploads/2016/08/Internet-Drug-Outlet-Report-August-2017.pdf>

<sup>19</sup> <https://buysaferx.pharmacy/wp-content/uploads/2020/06/Patient-Harms-Tracker-6-4-2020.pdf>

<sup>20</sup> The Partnership for Safe Medicines, SAFEMEDICINES Teaches You 5 Kinds of Poisons Found in Counterfeit Medicines, March 2012, <http://www.safemedicines.org/2012/03/no-drugs-at-all.html>. Accessed September 24, 2017.

<sup>21</sup> [https://buysaferx.pharmacy/wp-content/uploads/2020/10/ASOP-Global-Survey-Key-Findings\\_October-2020-FINAL.pdf](https://buysaferx.pharmacy/wp-content/uploads/2020/10/ASOP-Global-Survey-Key-Findings_October-2020-FINAL.pdf)

<sup>22</sup> [https://buysaferx.pharmacy/wp-content/uploads/2020/10/ASOP-Global-Survey-Key-Findings\\_October-2020-FINAL.pdf](https://buysaferx.pharmacy/wp-content/uploads/2020/10/ASOP-Global-Survey-Key-Findings_October-2020-FINAL.pdf)

<sup>23</sup> [https://buysaferx.pharmacy/wp-content/uploads/2020/10/ASOP-Global-Survey-Key-Findings\\_October-2020-FINAL.pdf](https://buysaferx.pharmacy/wp-content/uploads/2020/10/ASOP-Global-Survey-Key-Findings_October-2020-FINAL.pdf)

# What Your Patients Need To Know

## **1. Never buy prescription drugs from an online pharmacy that:**

- Doesn't require a valid prescription;
- Doesn't have a physical street address in the United States;
- Doesn't have a licensed pharmacist on staff;
- Sends unsolicited emails;
- Offers too-good-to-be-true prices; or
- Ships medications worldwide.

## **2. You can save money on prescriptions while staying safe**

- Shop around. People think that every pharmacy sells every medicine for the same price. That's not true!
- Check to see if the manufacturer offers discounts through prescription copay assistance programs.
- How does price vary if you pay in cash or get multiple months at once?
- Look to websites like [GoodRx](#), [NeedyMeds](#) and [RefillWise](#) as trusted resources.
- Some states offer [PrEP assistance programs](#) for certain patients
- HHS's [Ready, Set, PrEP Program](#) offers free PrEP HIV-prevention medications to uninsured patients that qualify

## **3. Always verify before you buy**

- If your patients purchase medications online, they should always verify that their online pharmacy website is safe and legal by visiting [www.BuySafeRx.pharmacy](http://www.BuySafeRx.pharmacy) and using the tools provided.

### **For more information please visit:**

- ASOP Global Foundation: [www.ASOPFoundation.pharmacy](http://www.ASOPFoundation.pharmacy)
- ASOP Global's Consumer Landing Page: <https://buysaferx.pharmacy/buying-medicine/>
- NYC Department of Health HIV/AIDS Portal: <https://www1.nyc.gov/site/doh/health/health-topics/aids-hiv.page>
- National Alliance of State and Territorial AIDS Directors: <https://www.nastad.org/domestic/hiv-prevention>