



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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7/2016

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

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

Audio Required

Click to confirm your headphones or speakers work before starting the course.



Use your device's sound controls to adjust volume.

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Done ▶

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.

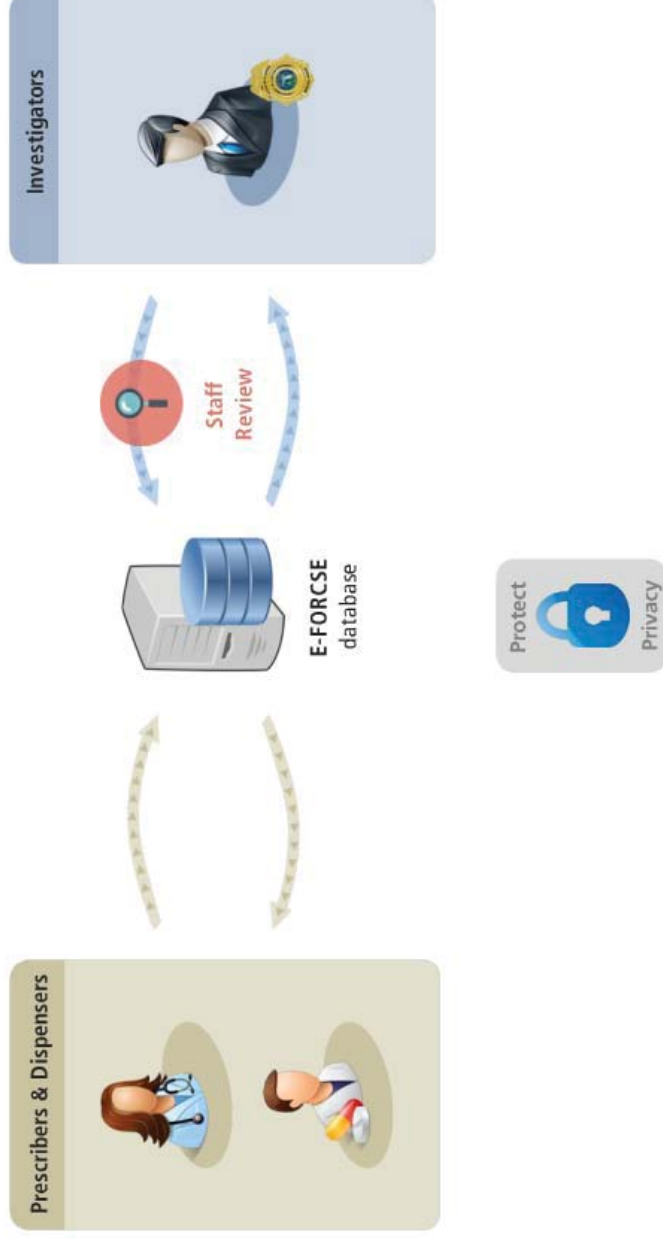
[Click here to learn more about E-FORCSE](#)

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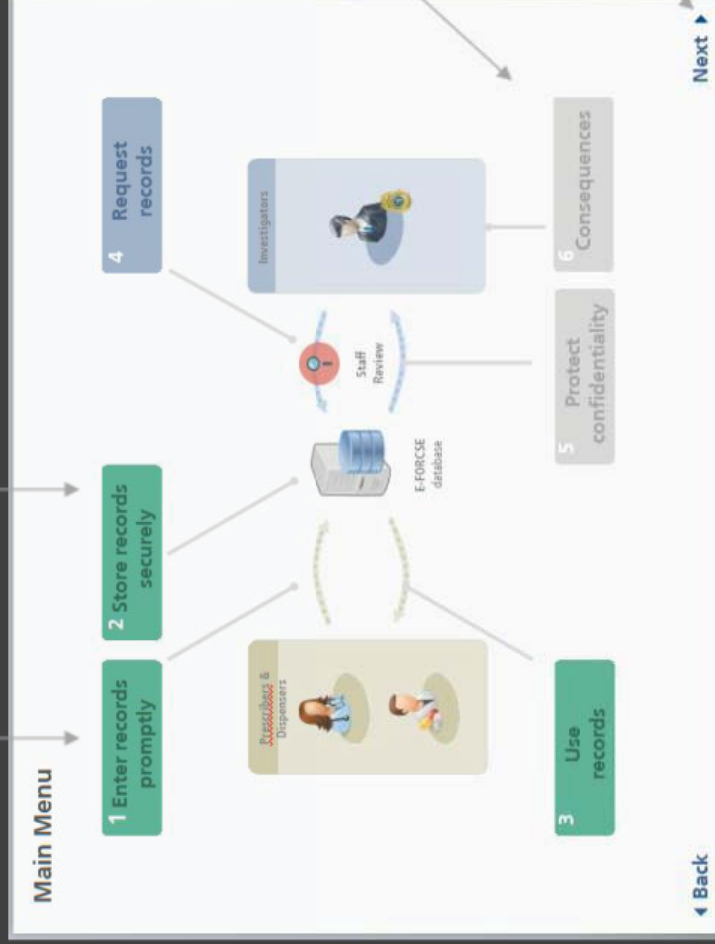
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Using the Main Menu

You'll click the first button to start.

Each one turns green when you're done.

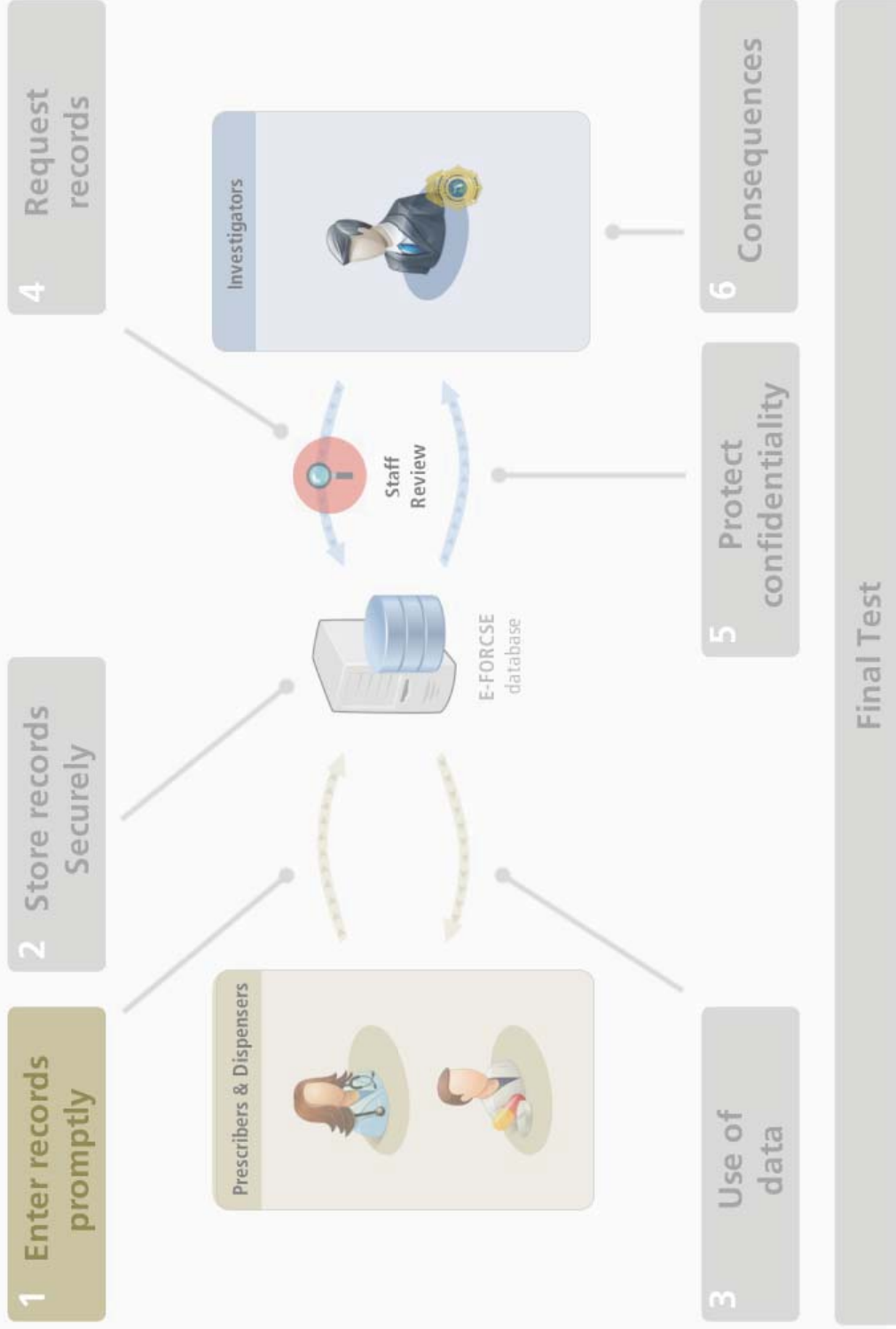


If a menu button is gray, you don't have access yet.

This navigation button is inactive until you've completed the page.

Move to a page

Main Menu

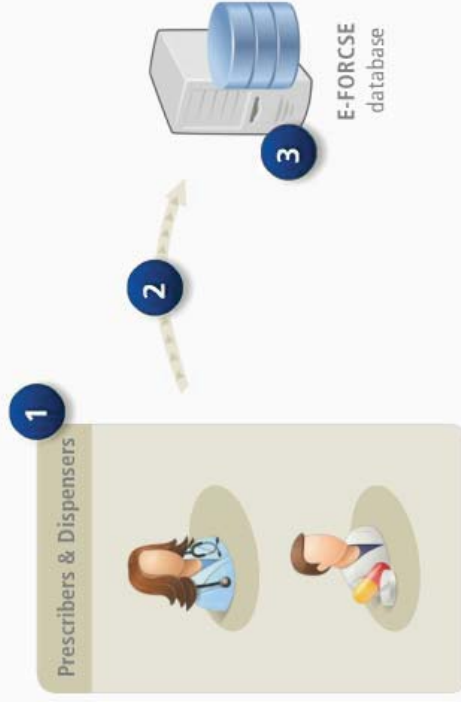


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Dispensers submit records to the database

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



Look for blue words...

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

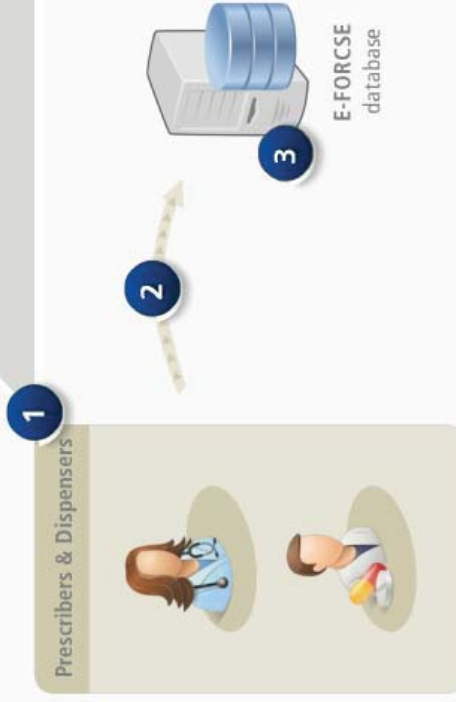
They aren't required reading. The final test covers main content, not the details in these pop-up screens. Try it!

Dispensers submit records to the database

Click the blue markers to see how dispensers create and enter pi

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.



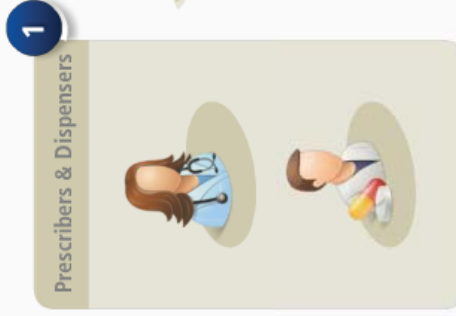
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Dispensers submit records to the database

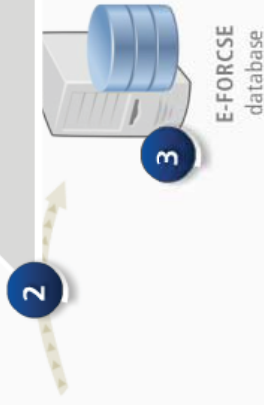
Click the blue markers to see how dispensers create and enter prescription



When do they report?

The prescription drug information is to be reported as soon as possible but not more than **seven days** after dispensing.

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



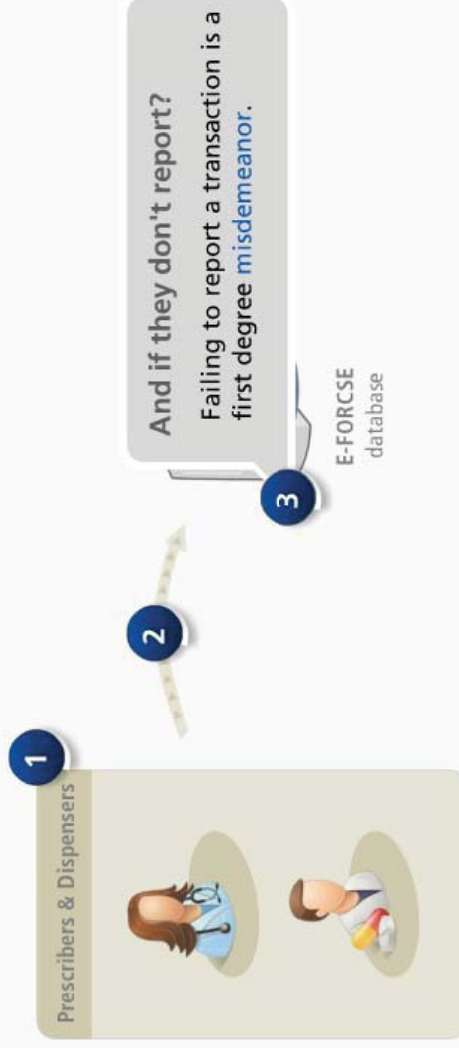
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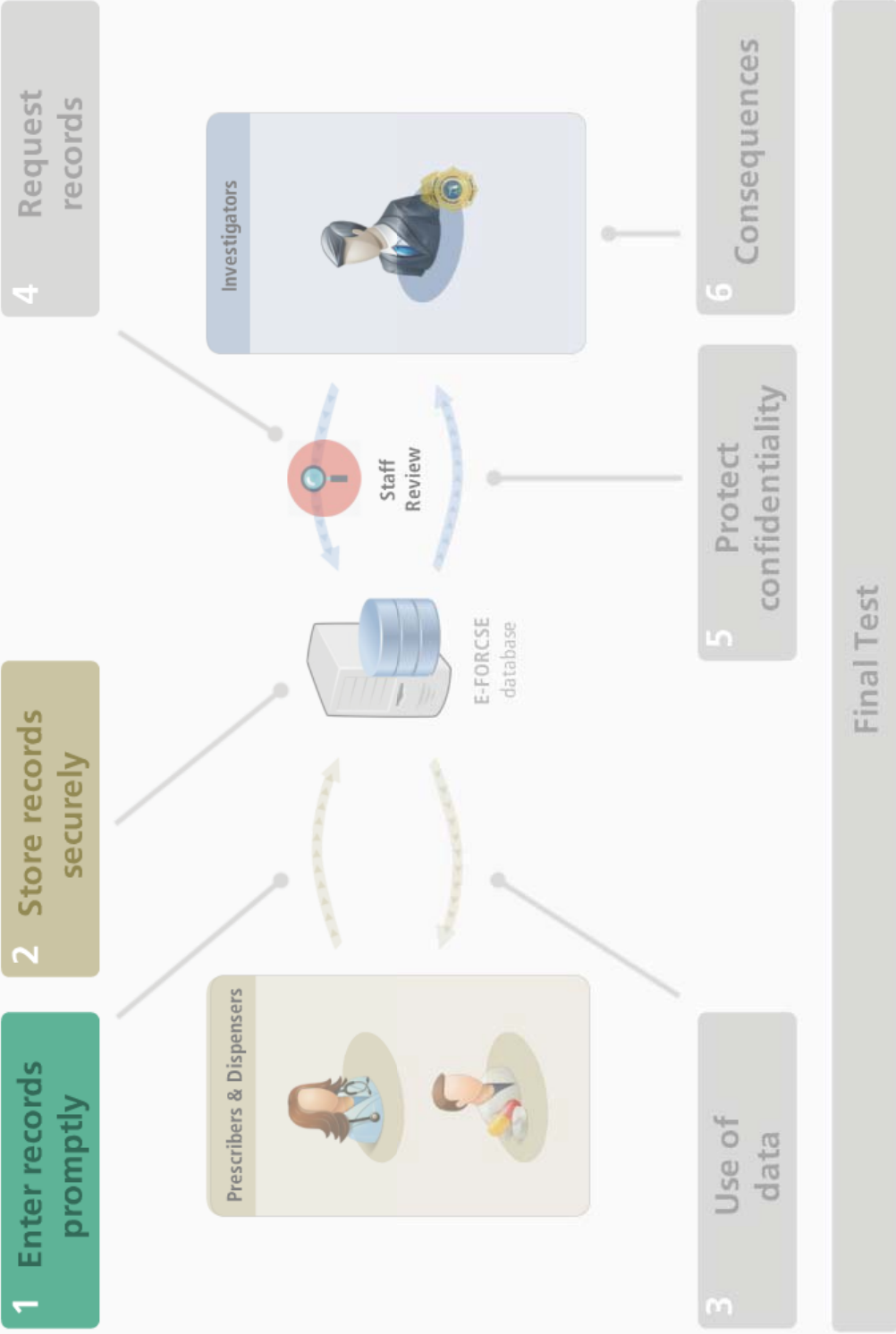


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Store PDMP data

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

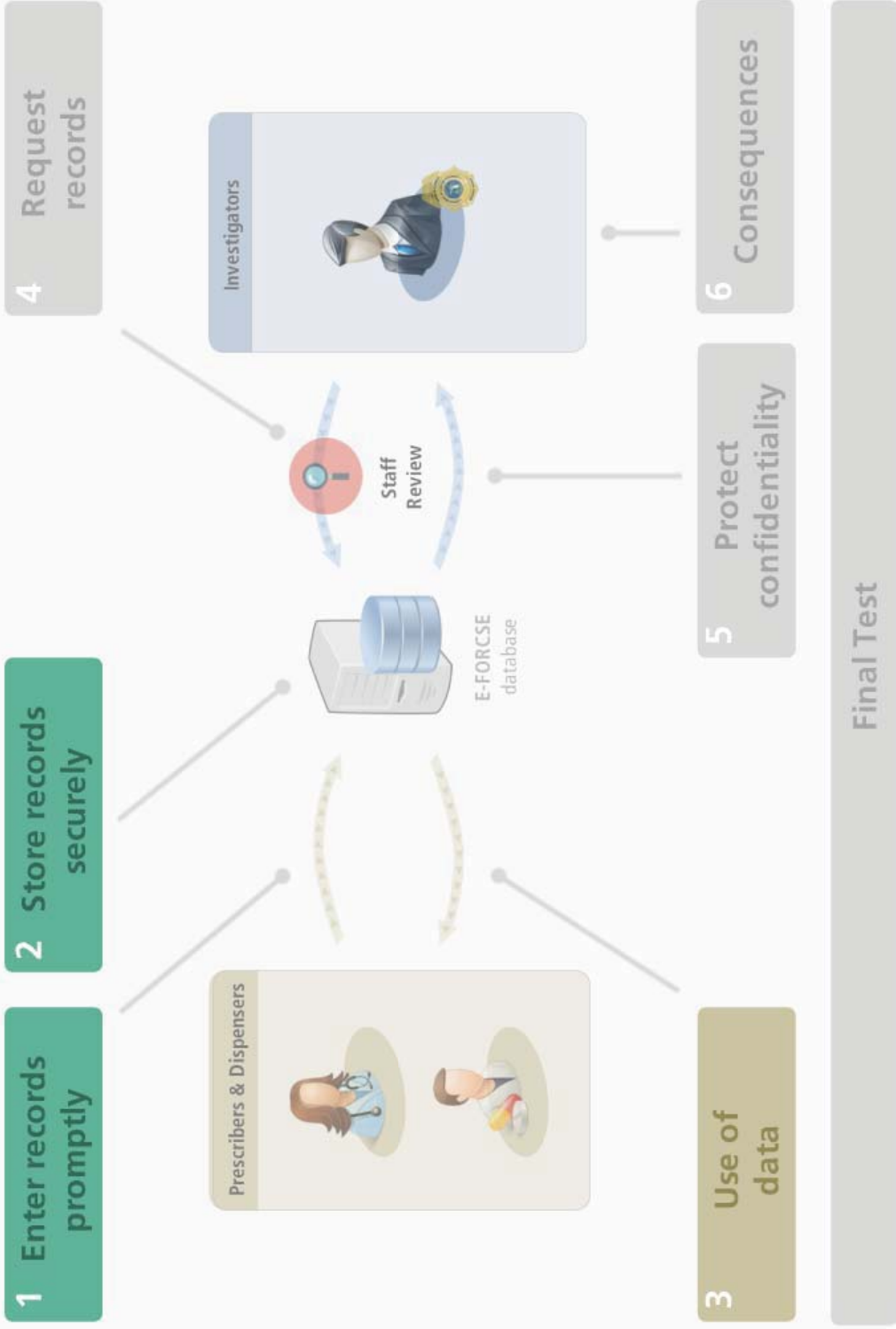
Prescription information

- 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

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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](#)

Every time health care practitioners dispense a controlled substance, they must enter a transaction record into E-FORCSE within how many days?

- 1
- 7
- 10
- 14

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

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

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

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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 _____.

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

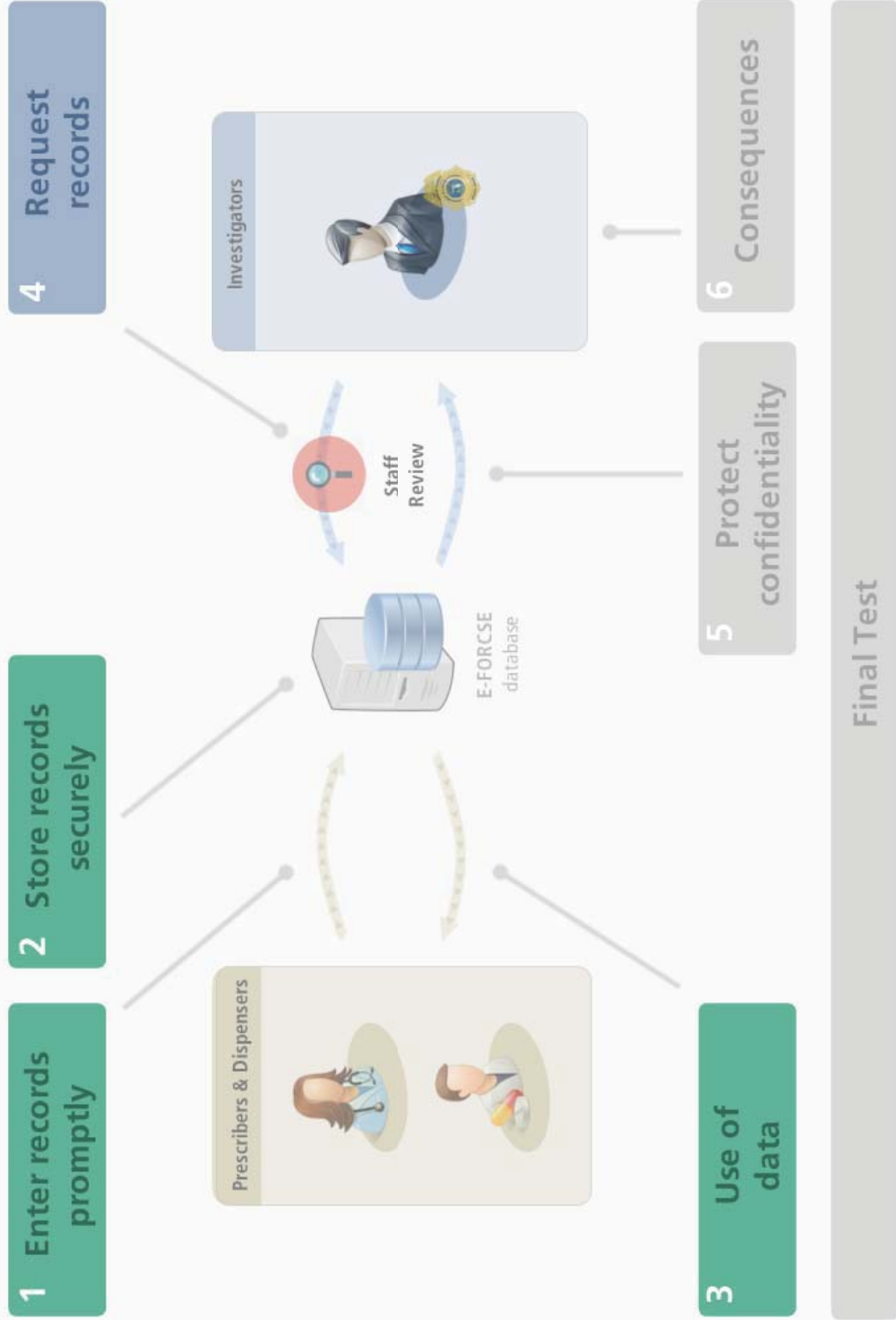
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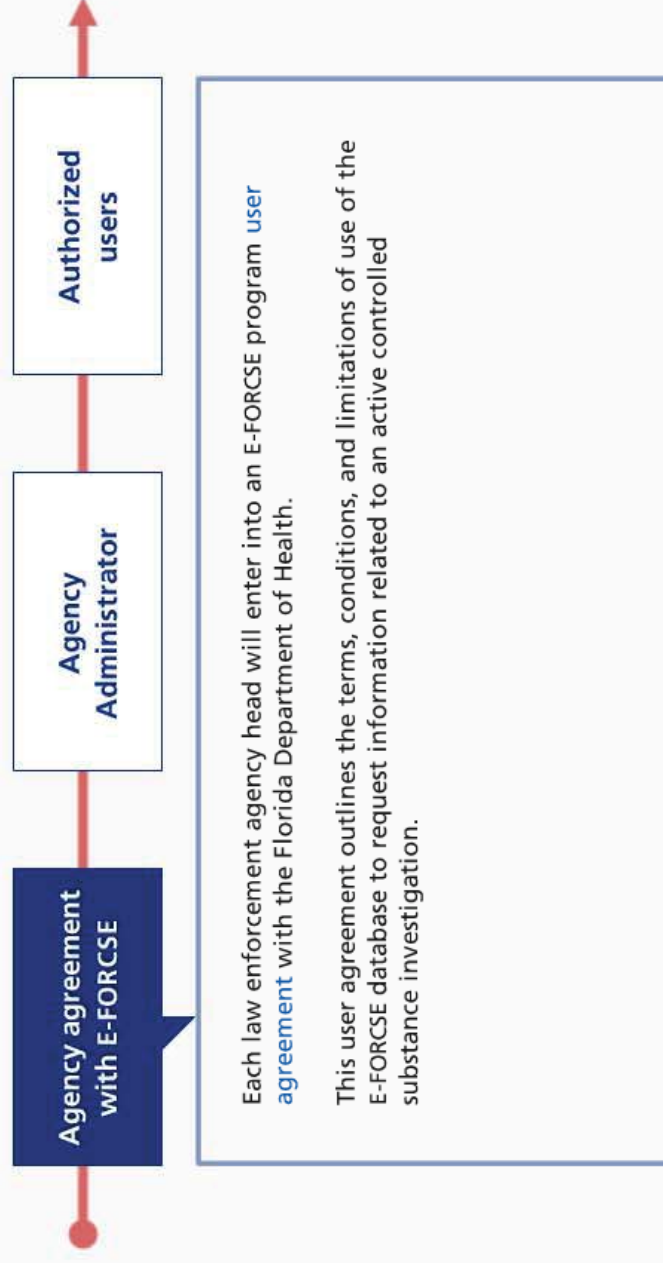


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Request E-FORCSE records

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:



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Before an agency can request PDMP information, its Agency Head identifies one individual to act as **Agency Administrator**. The Agency Head affirms that this individual represents the agency and is authorized to approve individual applications to request information from E-FORCSE.

Both the Agency Head and Administrator affirm that all PDMP queries will be used for legitimate purposes and all data obtained from the site should be treated as Protected Health Information and handled in accordance with all federal and state privacy laws that affect the disclosure of data obtained.

The Administrator then appoints **authorized users** who are engaged in the administration, investigation, or enforcement of laws governing controlled substances and are authorized to request prescription information from E-FORCSE.

Request E-FORCSE records

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Once the Agency Administrator has appointed the authorized user to request information on behalf of their agency, the authorized user will receive email notifications with account information and additional instructions.

Continued access to the database is dependent on your appropriate use of the system and all prescription drug information you retrieve from it. More about that in the next section. But first, we'll review the types of data requests available to you and the documentation you must submit with them.

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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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?

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
<p>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:</p> <ul style="list-style-type: none">• 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.



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.

[Start Practice](#)

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.

can enter records and retrieve reports on request.

Prescribers and dispensers

Law Enforcement officers

cannot enter records and must have all requests reviewed and authorized by E-FORCSE staff.

Drop people here

have **direct** access because they

Drop action here

Drop people here

have **indirect** access because they

Drop action here

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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

More detail

More detail

More detail

Submit

Once authorized users register and receive their E-FORCSE login information by email, their Agency Administrator will approve and activate 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
- Recipient query
- Pharmacy query
- Drug treatment query
- Prescriber query

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

- To share with an unauthorized person
- On behalf of another law enforcement agency
- For personal use
- In search for a missing 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 Corrections
- The Florida Department of Law Enforcement
- A Florida police department
- A Florida sheriff's 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

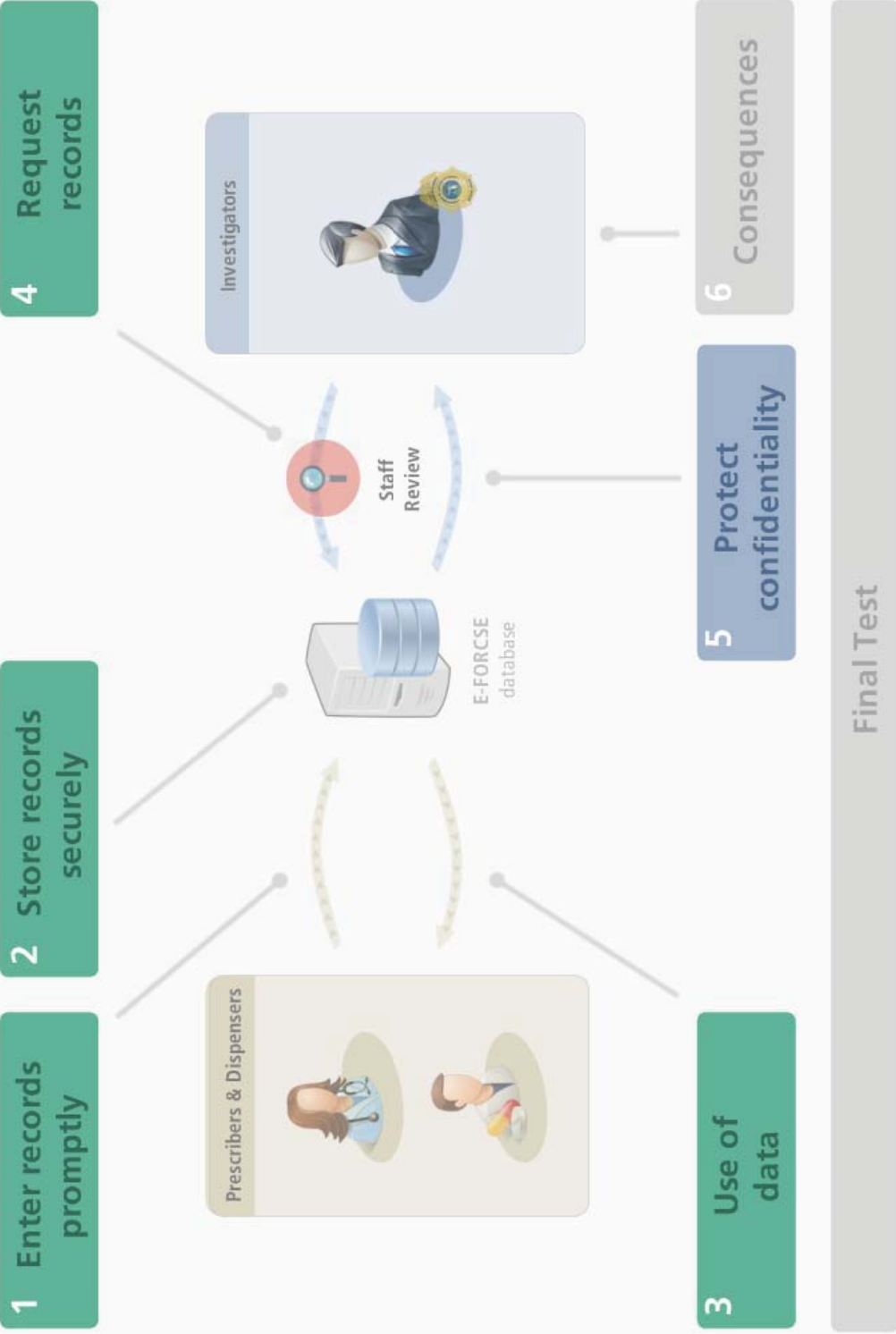
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Protect confidentiality

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.

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.

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: Agencies may retain the information for up to **24 months** before purging it. The agency may retain it for longer than 24 months if the information is pertinent to ongoing health care or an active law enforcement investigation or prosecution. Check agency policy.



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](#)

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

Using and Communicating E-FORCSE Information
Drop here

Physically and Digitally Protecting E-FORCSE Information
Drop here

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

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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:	Drop here
---	-----------

When handing off information to a CJA, emphasize:	Drop here
---	-----------

Label all information as CONFIDENTIAL according to Florida Statutes	Redact all information not the subject of the investigation
Use this information only in the investigation for which the original LEA requested it	Maintain ongoing confidentiality and protection of confidential information
Create an auditable, continuous chain of custody record of transfer	

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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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Agencies may retain E-FORCSE information for up to ____ months before purging it or longer if it needed for an ongoing investigation or prosecution.

- 6
- 12
- 18
- 24

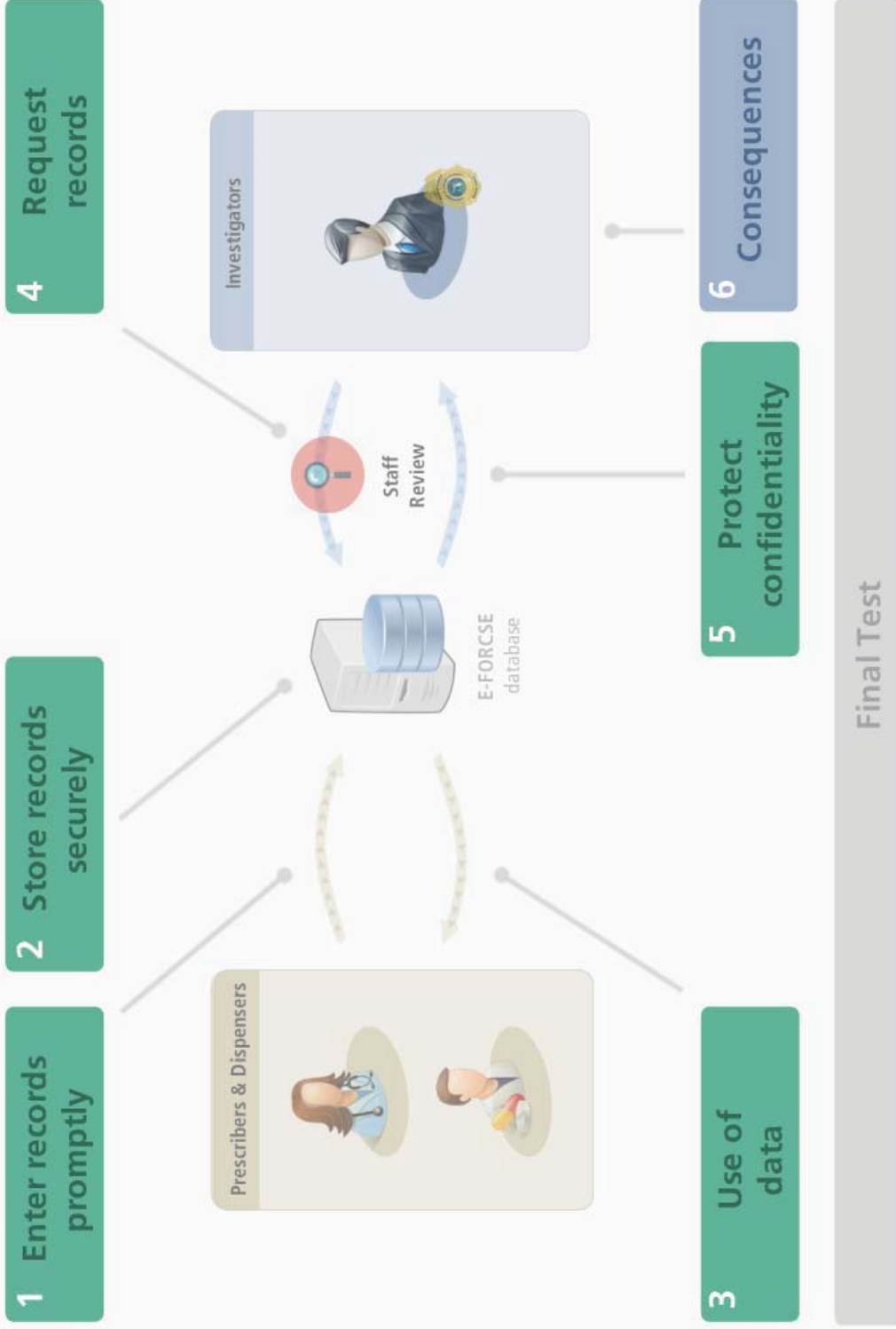
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Accountability and Consequences

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 is **notified** 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>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.</p> <p>The Agency Administrator will investigate the alleged compliance failure and report the findings to the Program Manager.</p> <p>The Program Manager shall determine whether the authorized user's access should be reinstated.</p>	

Accountability and Consequences

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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

Any person who willingly, knowingly, and unlawfully discloses confidential E-FORCSE information commits a **felony** of the third degree.

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.

In addition, a person who has been convicted for a felony of the third degree may be fined up to **\$5,000**.

With a felony conviction, you may find it very difficult to keep your job as a sworn officer and to find another one.



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](#)

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

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Submit

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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Submit

7/2016

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

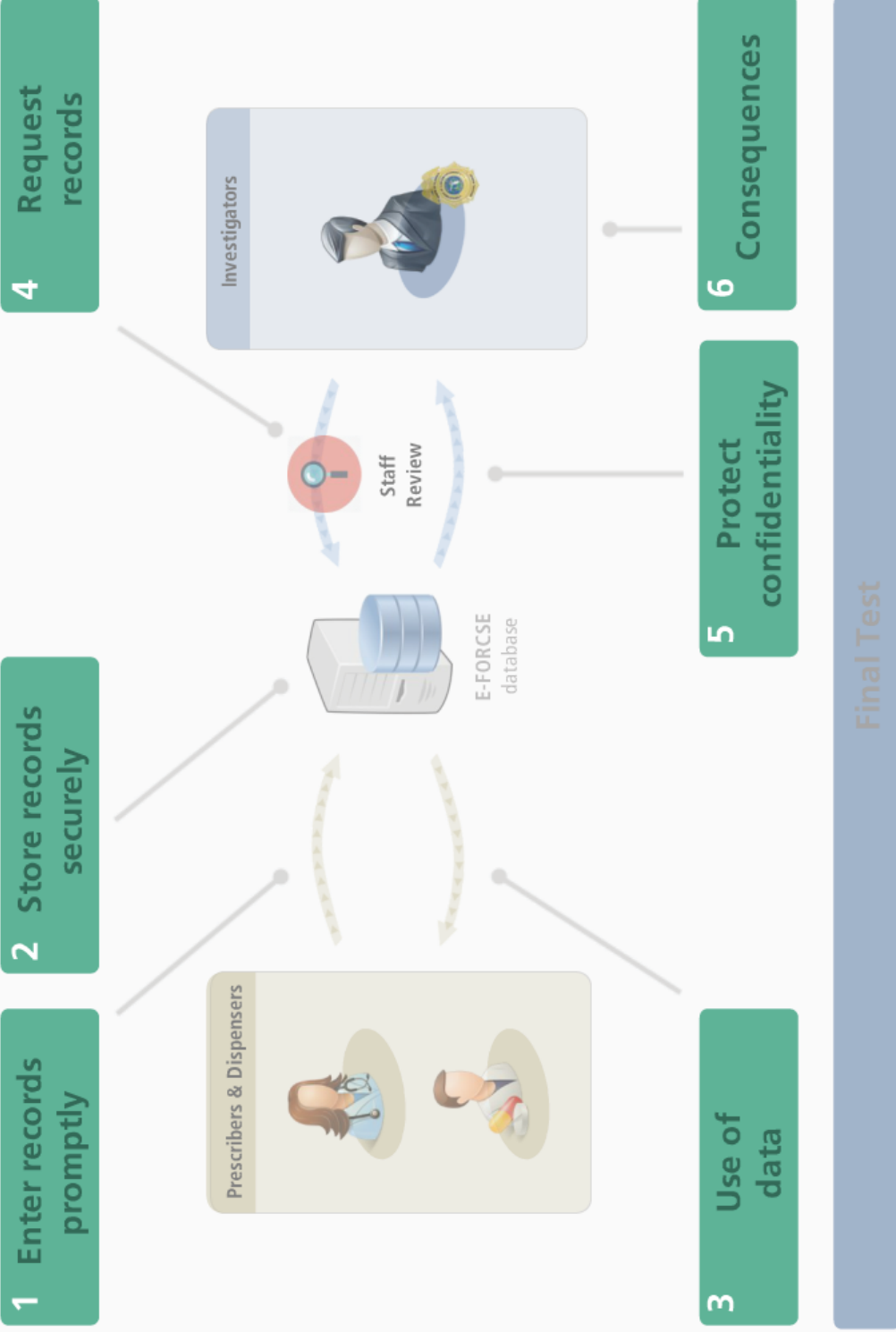
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An investigator must document that each query he or she submits is part of an active investigation. Which of these is **NOT** acceptable documentation?

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

Submit

Which of these groups has **direct** access to E-FORCSE?

- U.S. Drug Enforcement Agency
- Florida Board of Pharmacy
- Dispensing health care practitioners
- Florida Department of Law Enforcement

Submit

Every time health care practitioners dispense a controlled substance, they must enter a transaction record into E-FORCSE within how many days?

- 3
- 7
- 10
- 14

Submit

A law enforcement agency is **required** to redact E-FORCSE information before it discloses that information to a criminal justice agency.

- True
- False

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

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

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

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

Scenario: I am training an intern at FDLE. He is not involved in our drug investigations, but I would like to show him the importance of databases like E-FORCSE in investigations. Can I show him a query and report as part of his training?

- Yes
- No

Submit

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



E-FORCSE Information Security and Privacy Training Course



Certificate of Completion

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 as required by 64K-1.003(4)(d), Florida Administrative Code. It also satisfies the mandatory retraining requirements for Rule 11B-27.00212 (5) (a) Florida Administrative Code.

80%

Passing Score



90%

Your Score



Test

09/14/2015

Name

Date of birth

Signature

Date

- **Print Certificate:** Right-click on the certificate and choose **Print**. For best results, change from Portrait to Landscape.
- **Sign and date Certificate:** Be aware that by doing so, you are certifying that you are the person who completed the training and only you will receive credit for that training.
- **Provide a copy** to your agency's E-FORCSE administrator as proof of training course completion prior to appointment. For mandatory retraining, turn your quiz results page in to the person designated by your agency to enter records into the Automated Training Management System (ATMS) and a certificate can be provided to you by that designee.
- **Technical Support:** FDLE Bureau of Professional Development at 850-410-7373. E-FORCSE Program Support: e-forcse@flhealth.gov.

7/2016