

DEPARTMENT OF PUBLIC PROTECTION
INTERNAL AFFAIRS



REF Q

Mark Wolcott, Witness Interview
IA 2010-04-281

May 19, 2010

Present:

Mark Wolcott

Nikki A. Dofflemyer, Captain

Bonita McClough, Transcribing Secretary

Dofflemyer: This is Captain Dofflemyer with the Volusia County Department of Public Protection Internal Affairs Unit. Today is ah May 19, 2010; the time is 10:09 ahm a.m. We are currently at the ah Historic Courthouse located in DeLand, Florida. We are doing a sworn statement with Mr. Mark Wolcott who is the Emergency Medical Services Director. Ahm Mr. Wolcott is ah going to give a i is giving a statement as a witness in association with Internal Affairs Case Number 2010-04-281. Ah Mr. Wolcott's been advised that this is going to be a sworn statement given under oath and that his statement is being recorded. Ah could you identify yourself for the record Mr. Wolcott?

Wolcott: Mark Wolcott, EMS Director of Volusia County.

Dofflemyer: Ok and how long you been with Volusia County, sir?

Wolcott: A little over three years.

Dofflemyer: Ok and how long have you ahm been in the medical field?

Wolcott: Twenty two years?

Dofflemyer: Ok ahm you understand that you're gonna be providing a sworn statement today?

Wolcott: Yes.

Dofflemyer: Ok and you understand that statement's gonna be gin given under oath and is being recorded.

Wolcott: Yes

Dofflemyer: Ok will you raise your right hand for me? Do you solemnly swear the statement you're about to give is the truth, the whole truth and nothing but the truth, so help you God?

Wolcott: Yes.

Dofflemyer: Ok is there a contact phone number for you, Sir?

Wolcott: 386-740-5201

Dofflemyer: And the the work address?

Wolcott: 125 West New York Suite 182, DeLand 32720

Dofflemyer: Ok thank you. Ahm I have a a couple of medical questions for you ahm a a drug morphine ahm can you tell me is that a controlled substance?

Wolcott: Ah yes, yes it is.

Dofflemyer: And do you know what level controlled substance that is?

Wolcott: It's Schedule II under the regulations by the US Drug Enforcement Administration.

Dofflemyer: Ok can you tell me ahm can a private ah citizen possess morphine in the injectable form?

Wolcott: With a prescription from a physician, yes.

Dofflemyer: Ok. Would there be any other way that a person ah could possess...

Wolcott: No. Morphine being a controlled substance, it's a little bit more tightly controlled than a standard prescription medication; ah so no, the likelihood of anybody possessing that without a prescription would be unlawfully.

Dofflemyer: Ok do you know what ahm what guidelines govern the possession of controlled substance?

Wolcott: Yeah the Code of Federal Regulations and the number evades me but I can get it.

Dofflemyer: That's ok we'll...

Wolcott: Ok

Dofflemyer: that's fine; we'll get it later, that's all right. So if somebody was in possession of ah a Schedule II controlled substance, there would have to be a prescription that they'd be able to produce.

Wolcott: Correct or or some written authorization. In the case of a controlled substance it's a DEA registration.

Dofflemyer: Proper disposal of a medication of that type...what would that consist of?

Wolcott: To my r ah to my research I found a standard or required means of disposing of it the general accepted practice through DEA and through other health care entities that were looked up ah it's pulling the subject or substance up into a syringe and squirting it into a sink basin or into a toilet or or some other unpalatable medium. Er cat litter, sand, something like that...

Dofflemyer: Is...there a

Wolcott: that's generally rendering it unusable.

Dofflemyer: Is there a requirement for ah the person that's disposing of that controlled substance to be have a a witness present?

Wolcott: Yes, general practice with any kind of controlled substance, any waste disposal, discarding, needs to have a signature of the person performing the waste and a witness signature.

Dofflemyer: Ok if there's ah two parties that witnessed the destruction of a particular controlled substance is there any guidelines that say that you doc that you can document it disposed of but take that substance with you to use for other purposes?

Wolcott: Not that I'm aware of, no.

Dofflemyer: So if somebody removed a a controlled substance from ah Volusia County Fire Services that they notated that was ah destroyed, that would be required that that that substance be destroyed, not be removed from property.

Wolcott: That's problematic; that that...sits on the edge of what the US DEA refers to as diversion of a drug...

Dofflemyer: M hm

Wolcott: ahm usually diversion gets into more substantial quantities than a single container, ah but yeah I I think it would fall under the the definition of diversion.

Dofflemyer: Ok and if you didn't have a license to possess it would be illegal to have that substance...

Wolcott: Correct.

Dofflemyer: on your person. Ah I don't know how much knowledge you have of ah hospice care but if a hospice was ahm...what is their normal issuing of morphine, as you know it? Would it be injectable, would it be ah...

Wolcott: Most l...

Dofflemyer: a liquid form?

Wolcott: most likely an injectable liquid...

Dofflemyer: Ok

Wolcott: ah that they would bring from from their facility if it was a home hospice patient to the residence to render care to render some comfort to that individual ah...

Dofflemyer: Can they leave it behind? Can they leave that with the patient?

Wolcott: No, controlled substances require a chain of custody...ah ww if if I were the i in my line as a paramedic when I had that morphine in the morning I signed for it and everywhere it goes I go with it. I'm responsible for the the the contents of the container, I'm responsible for insuring the integrity of it and I'm responsible for handing off what I w the balance that I have to the next individual at the ch ah change of shift.

Dofflemyer: Is there a requirement to ahm to inventory ah any controlled substance...

Wolcott: Yeah as a...

Dofflemyer: by...

Wolcott: a periodic inventory when they talk of when the DEA speaks of of master control inventories. Ah the general practice in health care is that every time there is a patient care area morphine storage i.e., a fire truck, an ambulance or or emergency department, every time the keys change possession from charge nurse to charge nurse or paramedic to paramedic they both get together, they open it up, they count, they agree upon the amount present and they both sign off that it was all all accounted for.

Dofflemyer: Ok ahm are these controlled substances identified in a particular way ahm I've heard that the terminology lot number is that the way that the the controlled substances are tracked?

Wolcott: As I understand a lot number it refers back to the the the batch that is processed by the manufacturer so if you you buy ten pounds of opium, and you're making morphine out of that ten pounds of opium, the batch number is assigned for that raw product. Therefore when that ten pounds of opium is utilized and you're into your next ten pound delivery there's a new lot number. Ah a again that's the best as I understand it ahm not an area I'm real familiar with but ah...

Dofflemyer: Ok so th the the possession and the control of a controlled substance when it would be in the care of ah a government entity we would fall under the rules set forth by the Drug Enforcement Agency, Florida Statute...

Wolcott: Chapters 499 and 893.

Dofflemyer: Is there any other guidelines that ah dictate the way that the controlled substance is is handled and destroyed?

Wolcott: There's a section in the United States Code but I I don't recall that off the top of my head either.

Dofflemyer: But there i there is something...

Wolcott: United States Code is to Florida Statute what the Code of Federal Regulations is to Florida Administrative Code. One's statute or law, the other is a regulation.

Dofflemyer: Ok all right is there anything Mark that I haven't asked you that you feel would be beneficial ahm information for me to have associated with ah the storage, use and destruction of a controlled substance?

Wolcott: No, I don't believe there is.

Dofflemyer: Ok all right we are going to ah go off the record. We're still located at the Historic Courthouse in DeLand, Florida it's ah ten seventeen and we're officially off the record.

(Recording devices off)