

# COVID-19 Fraudulent Medical Products and Scams

## Protecting Pharmacists and Patients

The coronavirus pandemic has created a new epidemic of fraudsters and scammers, preying on the vulnerability of a public hungry for treatments, tests, personal protection equipment, and more. These schemers offer products that are unsafe, unproven, phony, and harmful, with no regard for public health and safety. It is important for pharmacists to be aware of these schemes and scams. Don't unsuspectingly fall prey to these offers, and be armed with information to warn your patients. Awareness also helps you ask your patients targeted questions if they describe unexpected side effects from drugs or unexplained symptoms.

### Top Examples of Fraud and Scams to Know



**Hand Sanitizer:** The Food and Drug Administration (FDA) is warning consumers about [hand sanitizer products](#) that are subpotent, meaning they do not contain effective amounts of ethyl alcohol or isopropyl alcohol, and products contaminated with methanol. Consumers should look for hand sanitizers that contain at least 60 percent of ethyl alcohol or isopropyl alcohol and reference the FDA's [list](#) of products to avoid.



**Fake and Substandard N95 Masks:** It is important to be aware that counterfeit respirators are falsely being sold as NIOSH-approved. To determine if a respirator is NIOSH-approved, look for an approval label on or within the packaging. The approval number can be verified on the [NIOSH Certified Equipment List \(CEL\)](#) or the NIOSH Trusted-Source page. For more information and pictures of counterfeit products, visit this [Centers for Disease Control and Prevention \(CDC\) page](#).



**DEA Impersonation Scams:** The Drug Enforcement Administration (DEA) is warning about scammers who pose as DEA agents or other law enforcement officers to extort money. These scammers are described as 'well informed' and reference practitioners DEA registration numbers and state license numbers, then claim to have evidence of wrongdoing. The DEA urges individuals aware of these scams to report it online to the agency's [Diversion Control Division](#) or by calling 877-792-2873.

### Other examples of fraud and scams include:

- Scam offer pretending to be from the World Health Organization to preorder COVID-19 vaccine
- Substandard and counterfeit active pharmaceutical ingredients (API) for COVID-19 drugs under study
- Offers for coronavirus home test kits that deliver immediate results, as only home specimen collection test kits have been authorized by FDA
- Online pharmacy offers for drugs under study for COVID-19
- Phone scam for free overnight delivery of coronavirus test kit
- Products claiming "cure," "miracle drug," "prevent transmission"

# COVID-19 Fraudulent Medical Products and Scams (continued)



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### Fraudsters Are Everywhere

Offers for counterfeit, substandard, and unproven medical products can come via email, phone, fax, and text. They can be found on rogue online pharmacies, social media, and online marketplaces and auction sites. The deceptive offer is often disguised to make the product appear to be legitimate.

The FDA, Federal Trade Commission (FTC), and Federal Communications Commission (FCC) have taken action against fraudsters, including issuing warning letters, shutting down websites, and alerting the public.<sup>1,2</sup> These agencies and other law enforcement are on the lookout for this devious activity. But because these fraudsters and scammers are so good, pharmacists and patients must beware.

### Look for Red Flags



#### *Does it seem too good to be true?*

If an offer seems too good to be true, based on the price, claim, or availability, it is probably not legitimate: **Red Flag**. For now, no products cure or prevent COVID-19. On April 20, 2020, FDA authorized the first test for home specimen collection, but there are no authorized home tests that will provide immediate results at home. Compounding pharmacists: Be leery of offers for API for drugs that are in shortage or under study, since most are in very limited supply around the world. Scammers take your credit card or banking information and run, leaving you with nothing in return.



#### *Unsolicited offers for products in short supply*

If someone offers you a product that is in shortage in the US: **Red Flag**. You should be skeptical of where they got the product. It is likely from the gray market, or it could be diverted, expired, counterfeit, or unapproved product from the global marketplace.



#### *Offers from unknown sources*

If you get offers that come via fax or cold calls or emails from people or companies whom you haven't done business with before: **Red Flag**.



#### *Personal testimonials*

If you receive an offer with personal testimonials that say how wonderful the product is with oftentimes outrageous claims: **Red Flag**. Most legitimate products do not typically include these types of testimonials.



#### *Requests for patient health information*

If the offer asks for patient health information: **Red Flag**. There are laws that protect patient health information. Legitimate vendors know this and will not ask this information.



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### Tips for Protecting Pharmacists and Patients from Fraud and Scams

#### ***Be informed. Stay informed. Fact check.***

Every day brings new developments, opportunities, and challenges in preventing, treating, and testing COVID-19. If you are offered a medical product or service, check to see if the product is approved or cleared by FDA or distributed under an Emergency Use Authorization (EUA).<sup>3</sup>

The webpages to check are listed below.

- Is the product FDA approved or cleared or distributed under an EUA?
  - For drugs, check: <https://www.accessdata.fda.gov/scripts/cder/daf/index.cfm>
  - For biologics, check: <https://www.fda.gov/vaccines-blood-biologics/biologics-products-establishments>
  - For devices, check: <https://www.fda.gov/medical-devices/products-and-medical-procedures/device-approvals-denials-and-clearances>
  - For EUAs, check: <https://www.fda.gov/emergency-preparedness-and-response/mcm-legal-regulatory-and-policy-framework/emergency-use-authorization#2019-ncov>
- Is the product on the drug shortage list?
  - Drugs that are in shortage are more vulnerable for mischief by rogue actors in the marketplace. If the product is in shortage, look for the red flags to tell if it is a legitimate product or offer.
  - Check FDA's drug shortage database at <https://www.accessdata.fda.gov/scripts/drugshortages/default.cfm>.

#### ***Know your source.***

Only buy from trusted sources. Conduct due diligence. If this is a new seller, check out references and find out more about the source and quality of the products being offered for sale. Under the Drug Supply Chain Security Act, pharmacists can only purchase certain prescription drugs from authorized trading partners that are appropriately licensed or registered. Check with FDA or state licensing authorities to confirm.

#### ***Protect patient information.***

More recently, medical products offer companion programs or services with a digital health component. There are also apps and websites that help people determine if they should get tested for COVID-19. Some are legitimate and some are not. Check out the source of the program or service before providing personal health information. If the source has any concern or lack of transparency, most likely it is a scam.

#### ***Practice smart online safety.***

Do not click on links from questionable sources. When you are desperate for answers and searching for hard-to-find products, you may let your guard down. Take a pause and think before clicking.



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### **Reassure patients.**

Provide patients with advice and reassurance that they do not need to hoard or stockpile their medications during this pandemic. Although some medications are in demand and experiencing supply disruptions and shortages during the pandemic, most medications have adequate supplies across the United States. Recommend that patients have enough medication on hand if they're unable to leave their home, and counsel on allowable early refills and delivery options.

With new economic hardships for patients, counsel them on the use of generics, discount cards, patient assistance programs, and other ways to save money on their prescription medications. Advise them on the dangers of using unsafe online pharmacies.<sup>4</sup>

### **Report suspected fraud to FDA, FTC, FCC, and DOJ.**

- FDA:
  - Report unlawful sale of medical products over the internet at <https://www.accessdata.fda.gov/scripts/email/oc/buyonline/english.cfm>.
  - Report suspect criminal activity at <https://www.accessdata.fda.gov/scripts/email/oc/oci/contact.cfm> or email [FDA-COVID-19-Fraudulent-Products@fda.hhs.gov](mailto:FDA-COVID-19-Fraudulent-Products@fda.hhs.gov).
- FTC: Go to the FTC complaint portal at <https://www.ftccomplaintassistant.gov/>.
- FCC: File complaints at [www.consumercomplaints.fcc.gov](http://www.consumercomplaints.fcc.gov).
- DOJ: File complaints at <https://www.justice.gov/coronavirus/combatingfraud>

### **References:**

- <sup>1</sup> Beware of Fraudulent Coronavirus Tests, Vaccines and Treatments: <https://www.fda.gov/consumers/consumer-updates/beware-fraudulent-coronavirus-tests-vaccines-and-treatments>
- <sup>2</sup> Fraudulent Coronavirus Disease 2019 (COVID-19) Products: <https://www.fda.gov/consumers/health-fraud-scams/fraudulent-coronavirus-disease-2019-covid-19-products>
- <sup>3</sup> An Emergency Use Authorization (EUA) is a special authority under section 564 of the Federal Food, Drug, and Cosmetic Act ([FD&C Act](#)), under which the FDA Commissioner may allow unapproved medical products or unapproved uses of approved medical products to be used in an emergency to diagnose, treat, or prevent serious or life-threatening diseases or conditions caused by threats, including outbreaks, when there are no adequate, approved, and available alternatives.
- <sup>4</sup> Resources with tips and counseling points for patients about buying medicines online safely include FDA at <https://www.fda.gov/drugs/besaferx-know-your-online-pharmacy/besaferx-health-professionals>, Alliance for Safe Online Pharmacies at <https://buysaferx.pharmacy/public-awareness-campaigns/providers/>, and Partnership for Safe Medicines: <http://www.safemedicines.org/wp-content/uploads/2019/09/Safe-Purchasing-COVID-19.pdf>.

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