

CONTROLLED SUBSTANCE MONITORING DATABASE
COMMITTEE MEETING
March 31, 2015
665 Mainstream Drive, Iris Room
Nashville, TN
Minutes

MEMBERS PRESENT

Dr. Reginald Dilliard, Board of Pharmacy
Ms. Joyce McDaniel, Board of Pharmacy
Ms. Maegan Martin, Executive Director, Board of Medical Examiners
Mr. Brent Earwood, Board of Nursing
Ms. Rosemarie Otto, Executive Director, Health Related Boards
Ms. Patricia Eller, Board of Medical Examiners, Vice Chairperson
Dr. Michael Baron, Board of Medical Examiners, Chairperson

MEMBERS ABSENT

Dr. Richard Orgain, Board of Optometry
Dr. Donald Polk, Board of Osteopathy
Dr. Katherine Hall, Board of Dentistry
Dr. Jason Kizer, Board of Pharmacy
Dr. Kim Johnson, Board of Veterinary Medicine
Mr. Omar Nava, Committee on Physician Assistants
Dr. David Sables, Board of Podiatry

STAFF PRESENT

Dr. Mitchell Mutter, Special Projects
Dr. Todd Bess, Director of Controlled Substance Monitoring Database
Mr. Christopher Smith, Assistant General Counsel
Ms. Denise Moran, Executive Director, Office of Investigations
Ms. Sheila Bush, Administrative Manager
Ms. Elizabeth Lund, Executive Director, Board of Nursing
Ms. Debora Sanford, Project Manager

The Controlled Substance Monitoring Database Committee convened on Tuesday, March 31 2015, in the Iris Room, 665 Mainstream, Nashville, TN. Dr. Baron called the meeting to order at 9:00 a.m. and requested that each member introduce themselves. A quorum of the members was present.

Minutes

A motion was made by Ms. Pat Eller to accept the minutes from the board meeting in January. Ms. Maegan Martin seconded the motion. The motion carried and the minutes were approved.

CSMD Director's Report

Dr. Bess presented four conference travel requests. Ms. Joyce McDaniel made the motion to approve the requests. Ms. Rosemarie Otto seconded the motion. Ms. Patricia Eller requested an estimate of travel expenses be presented before meeting adjourns. Motion carried.

Dr. Bess addressed Public Chapter No. 791 which states: "The board of pharmacy shall by rule, establish a fee for providing information to a law enforcement agency, judicial district drug task force, TBI or a judge of a drug court treatment program pursuant to this section. In determining the fee and type of fee to be charged, the board shall consider options such as an annual fee or a per use, incremental cost basis fee." Dr. Bess's previous collaboration with Dr. Mitchell Mutter determined it necessary to establish a meaningful way to charge a fee. The goal would be to create a broadly written rule which would allow for creativity in charging. Currently, the estimated cost of labor per information requests equates to \$22.50 however any revenue generated would add value to the database. The purpose of discussion was to include the board in the process of rule-making.

Dr. Mutter aspires to enhance how law enforcement and drug courts obtain information by converting from a paper system to a computer-based information system. The conversion is projected to cost \$95,000 and could be funded by a grant from the Chief of Police Organization.

Dr. Bess has been working in partnership with Dr. Mutter, Dr. David Reagan, and Dr. Tim Jones to strategize applying for the next grant which will include consideration of the heroine drug abuse crisis.

Regarding Public Chapter 898, a discussion was held to determine when APNs and PAs should be blocked from accessing patient requests if they have not yet documented a supervisory relationship. The CSMD was not designed to track supervisory relationships; therefore, OTEC has been developing improvements to overcome programming barriers. Those improvements are presently being tested before the system can become fully operational. Currently, approximately 50-60% of prescribers have successfully linked a supervisor in the CSMD. A motion was made by Ms. Patricia Eller to lock out APNs and PAs who have not documented a supervisor by July 1, 2015, with a understanding that the CSMD will be out of the testing phase and fully functional. Ms. Joyce McDaniel seconded the motion. After discussion, Ms. Patricia Eller amended her motion to include sending a non-certified letter and an electronic notification before the lock out date from the respected boards to alert non-compliant practitioners of the pending lock out. Upon further deliberation, Ms. Patricia Eller amended her motion again to change the date to June 15, 2015 to avoid being understaffed for the previously mentioned date that fell near a holiday. The motion carried.

Director for Special Projects Report

Dr. Mutter expressed his concern for a need to create a smarter way to determine between doctor shopping patients and high utilization patients. An expert panel is set to meet on May 1st to discuss the annual update of the Chronic Pain Guidelines. Discussion will include topics in the

emergency room guidelines such as advising how to treat acute and chronic conditions and what medication is appropriate to prescribe in emergency care center situations. A request has been made by legislation to define what a pain clinic should look like by January 1, 2017. Additionally, a goal is to increase the quality of the medical director of a pain clinic.

OGC Report

Mr. Christopher Smith presented the updated disciplinary action report related to Controlled Substances which included cases between January 2015 and the present. The Board of Medical Examiners had five new cases; Board of Nursing had five new cases; Board of Pharmacy had two new cases; Osteopathic, Dental, Optometry, Physician Assistant, Veterinary, and Podiatry Boards had no cases to report since the last meeting.

Bureau of Investigations

Ms. Denise Moran stated thirty clinics are in the audit process; twenty-one of those have their investigations completed and have been issued deficiency letters, if applicable. A newly-hired PHNC2 will provide more data in the future via spreadsheet regarding audits.

Exemptions

Dr. Bess presented 15 requests for exemptions and 2 waiver requests from electronic reporting to the database. Mr. Brent Earwood made the motion to accept the requests. Ms. Joyce McDaniel seconded the request. The motion carried. Continued discussion from previous board meeting, Dr. Reginald Dilliard made the motion to authorize Dr. Bess the ability to correct the wording of the online waiver form and bring back to the next committee meeting for approval.

Ms. Joyce McDaniel seconded the motion. The motion carried.

Robert Dobbins	Cystic Fibrosis Services
Sidney Sanders	Encompass RX
John Leighton	Allcare Plus Pharmacy, Inc
Andrew Huggins	Drugco Health
Philip Baker	Good Shepherd Health
Tamra Saam	Total Vein Pharmacy
Jeffrey Hinchey	Heartland Medical LLC
	Cardinal Health 128, LLC
Timothy Hoffman	dba MMS Solutions
	Lehigh Pharmacy & Supplies Inc
Gary Koesten	
Travis Bemiss	Precision Nuclear LLC
J Neil Utkon, DVM	Pet Health Center
Allen Knee	Executive Pharmacy

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Sarah Briant	Barnes Healthcare of Florida LLC dba Barnes Precision Specialty Pharmacy
William McGalliard	Cleveland Randolph Jr. MD. PA
Steven Taylor	Triad Isotopes Inc
Adam Rayna	BioRx LLC
Susan Sink, R.Ph.	Liberty Medical LLC dba Liberty Medical Supply
Sarah Spangler	Complete Medical Homecare
Aubrey Haley, DVM	Aubrey Haley, DVM
Ira Schulman	Med-Care Diabetic & Medical Supplies
Robert D. Harrison	NuFactor, Inc
Roy G Butler, DVM	

The meeting adjourned at 11:39 a.m.