



**Tennessee Board of Medical Examiners
Development Committee**

Tuesday, January 23, 2024

MINUTES

The Development Committee meeting of the Tennessee Board of Medical Examiners was called to order at 7:30 a.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Dr. Stephen Loyd.

Committee members present: Stephen Loyd, MD Committee Chair
Melanie Blake, MD
John McGraw, MD
Deborah Christiansen, MD

Staff present: Kavita Vankineni, MD, Medical Director
Francine Baca-Chavez, JD, Office of General Counsel
Stacy Tarr, BME Executive Director
Brandi Allocco, Administrative Director

The meeting was called to order by Dr. Loyd with a roll call of members and staff present. Having determined a quorum with four members present, Dr. Loyd opened the meeting.

**I. DISCUSS AND TAKE ACTION AS NEEDED REGARDING PAIN MANAGEMENT CLINIC
INSPECTIONS AND BME DISCIPLINARY ACTION – TMA AND TENNESSEE PAIN SOCIETY**

Yarnell Beatty, JD, General Counsel for the Tennessee Medical Association (“TMA”), introduced the Tennessee Pain Society (“TPS”) members in attendance. Dr. Thomas Scott Baker, MD, Robyn Hoyle JD, Executive Director for the Tennessee Pain Society, David Areheart, MD Board of Directors for the Tennessee Pain Society, and Mr. David Steed. The TMA and TPS presented during the November 2023 Board of Medical Examiners (“BME”) meeting, at which time the Board deferred the discussion of pain management guideline suggestions to the Development Committee. Mr. Yarnell Beatty presented fifteen (15) recommendations to the Development Committee to consider. While the Committee feels the recommendations were reasonable requests, there was question on who would have the authority to make changes. Ms. Tracy Alcock, Deputy General Counsel advised the Development Committee on which matters would require a legislative change, and how the State currently handles pain management clinic inspections and discipline. The Committee determined there were two actionable items they could address. One of the actions was to review the chronic pain management oversight standards annually at a full BME meeting.

The TMA and TPS will propose legislative changes for the twenty percent (20%) coverage rule. The current guidelines require the supervising physician or medical director be physically present in the clinic

twenty percent of the time. The intent behind the original guideline was to eliminate supervising physicians or medical directors from only visiting a site once a year. Under the current twenty percent coverage rule, the medical directors or supervising physicians must be there weekly. TMA and TPS are proposing legislation that would change weekly coverage to quarterly. The TMA and TPS will propose legislation to establish an advisory opinion pathway, such as the one the Board of Medical Examiners gives its licensees. The Committee will bring for the full Board's consideration an endorsement of proposed changes by TMA and TPS as they lobby the State.

The Development Committee ran out of time and were unable to consider the remainder of the agenda. They will take up the remaining items at a later time.

II. **PUBLIC COMMENT**

There was no public comment.

The meeting adjourned at 9:00 am.