



Controlled Substance Monitoring Database (CSMD)
Committee Meeting Minutes
March 21, 2017

MEMBERS PRESENT

Mr. Brent Earwood, Board of Nursing,
Chairperson
Dr. R. Michael Dickenson, Board of
Pharmacy
Dr. Brad Lindsay, Board of
Optometry
Dr. Sheila Schuler, Podiatry Board
Ms. Lisa Tittle, Board of Pharmacy
Dr. Shant Garabedian,
Osteopathic Board
Dr. Alan Musil, Board of Medical
Examiners
Dr. Stephen Ladd, Board of Veterinary
Medicine

STAFF PRESENT

Dr. D. Todd Bess, Director of
Controlled Substance Monitoring
Database
Dr. Mitchell Mutter, Medical Director
for Special Projects
Mr. Andrew Coffman, Attorney, Office of
General Counsel
Ms. Debora Sanford, Project Manager
Ms. Antoinette Welch, Director, Office of
Investigations
Ms. Sheila Bush, Administrative Manager

STAFF ABSENT

Ms. Tracy Bacchus, Administrative
Assistant

MEMBERS ABSENT

Dr. Katherine Hall, Board of Dentistry
Mr. Omar Nava, Committee on
Physician Assistants
Ms. Juliane Cole, Board of Medical Examiners

The CSMD Committee convened on Tuesday, March 21, 2017, in the Iris Room, 665 Mainstream, Nashville, TN. Mr. Earwood called the meeting to order at 9:00 a.m. and Ms. Bush called the roll.

Mr. Earwood mention to the group that we are live streaming so please make sure the green light is on and speak into microphone.

Minutes

Mr. Earwood asked had everyone read the minutes from the last meeting, and if so can the committee have a motion to approve the minutes.

- Dr. Shant Garabedian made the motion to accept the minutes from the January 31, 2017 committee meetings, and Dr. Brad Lindsay second the motion,
- Move by acclimation the minutes were approved

Medical Director for Special Projects – Dr. Mitchell Mutter

- The medical director needs to be ABPM, ABMS, or ABIPP certified
- We have 185 registered pain management clinics
 - The number of pain clinics in Knox county decreased from 39 to 18



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- TDH will start the licensure of medical director in July 1, 2017
- Edition two of the Chronic Pain Guidelines was updated January 2017 and posted on TDH website
<http://tn.gov/assets/entities/health/attachments/ChronicPainGuidelines.pdf>
- The next TN Chronic Pain Guidelines Meeting will be March 31, 2017 to discuss the following:
 - Review of the Guidelines and Appendices
 - Pain Clinic Guidelines
 - Clinical alert notifications for the CSMD
- Pain Clinics will have to be inspected at the time of the application and every two years going forward
- Annual Symposia Schedule
 - 5/4/2017 Johnson City
 - 7/06/2017 Murfreesboro
 - 7/13/2017 Franklin Co.
 - 8/10/2017 Jackson
 - 8/22/2017 Clarksville
 - 9/19/2017 Cookeville
 - 10/5/2017 Nashville
 - 11/7/2017 Knoxville
- Discussed Future Initiatives
 - Educational focus for the judges of the Drug Courts
 - Mr. Earwood asked if the drug courts are in every county
 - Dr. Mutter said that they are not in every county
- Key Points from Morbidity and Mortality Weekly Report (MMWR) from the CDC
 - 1,294,247 patients
 - 33,548 or 2.6% continued use for > 1 year
 - More likely to be older, female
 - Pain diagnosis started on higher doses
 - Self-pay
 - Initial prescription
 - Risk of chronic opioid use
 - Duration of treatment
 - Long acting opioid
 - High Morphine Milligram Equivalent (MME)

Bureau of Investigations – Antoinette Welch

- Starting July 1, 2017
 - Will get two new investigators specifically for pain clinics
 - Will have to inspect all new pain clinic applicants facilities before they can open and have to do inspection every two years there after
- Starting January 2017 received 3 complaints and 19 rolling complaints for pain management clinics

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- 13 were closed, 4 sent to OGC, 8 closed with no violation, 1 letter of warning
- 2 have been for overprescribing and 1 for unprofessional conduct
- Board of Medical Examiners
 - 219 new complaints; of those 10 related to overprescribing
- The Nursing Board
 - 141 new complaints; of those 3 related to overprescribing

Office of General Counsel- Andrew Coffman

- List of prescribing cases from January 2017 – February 2017
 - One nursing cases did an agreed to a reprimand and surrender her pain clinic certificate
 - Affinity Healthcare voluntary surrender their pain management clinic certificate
- Discussed some more creative discipline for about 4 cases
 - License placed on probation for 5 years with terms; surrender DEA registration for all schedules of controlled substances with terms, including practice monitoring through Affiliated Monitors and board-approved coursework on prescribing
 - License reprimanded; must obtain practice monitoring through Affiliated Monitors for five years; must complete Board-ordered coursework on the topics of medical record keeping and prescribing controlled substances
 - APRN certificate and RN license reprimanded with terms; must surrender pain management clinic certificate to the Tennessee Department of Health; must obtain practice monitoring through Affiliated Monitors for three years; multistate privilege to practice as a RN in any other state which has entered into the Interstate Nurse Licensure Compact voided for no less than three years
 - RN license and APRN certificate placed on probation for no less than five years; must appear personally before the Board of Nursing for probation to lift; agrees not to seek the reinstatement, renewal, or application for a Drug Enforcement Administration registration for Schedule II or III controlled substances for the duration of the probationary period; may seek the reinstatement, renewal, or application for Drug Enforcement Administration registration for Schedule IV or V controlled substances with terms; must complete Board-ordered coursework on the topics of medical documentation and prescribing controlled prescription drugs
- Mr. Earwood asked how do we monitor if someone gets their DEA reinstated
 - Mr. Coffman stated that the DEA reviewed Board Orders in making reinstatement decisions and that in cases of discipline, it may be necessary for licensees to report a reinstatement of his or her registration.
- The legislature is in session and sent an excel spreadsheet with all the bills pertaining to each board
 - Opioid Taskforce want to find out what can we do to make a real impact

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- Senate Bill 871
 - is amended by deleting the language "thirty (30) calendar days" and substituting instead the language "fifteen (15) calendar days"
- House Bill 717
 - On or before January 15, 2018, the commissioner of health shall report to the health committee of the House of Representatives and the health and welfare committee of the senate on the impact of recent legislation regulating and licensing pain management clinics in reducing the abuse of opioids in this state. The commissioner shall also make appropriate recommendations for any needed additional legislation to address issues raised by opioid abuse.
- House Bill 1207
 - Requires information from the department and is amending this bill
- Senate Bill 1425
 - is amended by deleting the subdivision and substituting instead the following: (1) All prescribers or their designated healthcare practitioner's extenders, unless otherwise exempted under this part, shall check the controlled substance database prior to each prescription of one of the controlled substances identified in subdivision (e)(3) to a human patient.
- Legislators want to know what they could do that could help
 - Education for patients and education for people in the community
 - Better ways to be able to use the CSMD
 - More notice of the consequences of opioid use to patients and ways in which the patients might seek treatment
- Update on the Commissioner Rules
 - The rules are on hold until the Appriss contract is finished
- Update on Kentucky Project
 - That there is one attorney is holding this project up, but they are still working on it

CSMD Financial Report – Butch Jack

- Fiscal Year 2016 expenditures
 - Salary and Benefits is \$396,402.79
 - Travel is \$10,289.90
 - Professional Services and Dues is \$1,383.04
 - Grants & Subsidies \$-76,242.95 is due to accrued liability reversal related to the Appriss contract
 - Unclassified \$800.00 is for privilege tax
 - Training of State Employees is \$2,435.00
 - Computer Related Items is \$314,695.70
 - State Professional Service is \$69,964.35
- Total Other Expenditures is \$323,557.41



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- Total Direct Expenditures is \$719,960.20
 - Legal is \$38,181.89
- Total Expenditures is \$758,142.09

CSMD Director's Report – Dr. D. Todd Bess

- Outreach Update
 - Upcoming 2017 University of Tennessee College of Pharmacy weekend updates for eight cities
 - 03/12/2017 Knoxville, TN
 - 02/12/2017 Kingsport, TN
 - 03/4/2017 Jackson, TN
 - 03/19/2017 Chattanooga, TN
 - 04/30/2017 Cookeville, TN
 - 04/ 22/2017 Memphis, TN
 - 02/18/2017 Murfreesboro, TN
 - 04/02/2017 Nashville, TN
 - CDC facilitated webinar for TN CSMD to update states that are now having to transition to a new PDMP Vendor on February 28, 2017
- Appriss Updates
 - CSMD is working on A process to improve patient grouping for the new Appriss application and the integration of CSMD data into EHRs and Pharmacy Software systems since they currently do not have a patient pick list function. The solution proposed by Appriss is a remove Linked patient function that Appriss has agreed to develop by late 2017.
- The committee discussed CSMD improvements related to veterinary practice to address awareness of people utilizing animals to obtain drugs. Dr. Ladd shared with the committee that he surveyed his colleges and the Vets surveyed are not aware of any cases of this in Tennessee but will monitor for possible issues.
- Links to the 2017 Legislative Report
 - http://tn.gov/assets/entities/health/attachments/2017_Concise_CSMD_Annual_Report.pdf
 - http://tn.gov/assets/entities/health/attachments/2017_Comprehensive_CSMD_Annual_Report.pdf
- Tennessee House of Representatives Task Force On Opioid Abuse
 - THD and CSMD Program invited to meet with the Task Force on February 23, 2017
 - Tennessee Department of Mental Health and Substance Abuse Services, TennCare and Dr. Baron will also reported to this Task Force
- CSMD Committee Policy Statement
 - Healthcare providers are being asked to share information contained in the CSMD with insurers
 - Over the last few weeks, the CSMD Program has received a number of



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inquiries related to this practice

- Discussion of proposed policy statement. After discussion, the committee approved a policy statement that will be placed on the CSMD FAQs area of the website describing process to be followed when CSMD reports are utilized
 - Dr. Garabedian made the motion to approve this with (once placed in patient medical record), and Dr. Alan Musil seconded the motion
 - Moved by acclamation to accept the policy
 - Please email Tracy Bacchus if they will be attending the next scheduled meeting to assure we will have a quorum
- The meeting adjourned at 11:46 a.m.