

### **MEMBERS PRESENT**

Dr. Thomas Williams, Board of Dentistry  
Dr. Melanie Blake, Board of Medical Examiners, Chairperson  
Dr. Adam Rodgers, Board of Pharmacy  
Dr. Ramesh B. Pavuluri, Podiatry Board  
Dr. Robert Simpson, Board of Veterinary Medicine  
Dr. Linda Tharpe, Board of Optometry  
Mr. Brett Reeves, Committee on Physician Assistants  
Mr. Mark Young, Board of Nursing  
Dr. Shant Garabedian, Osteopathic Board

### **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, Clinical Application Coordinator  
Ms. Tracy Bacchus, Administrative Assistant

### **MEMBERS ABSENT**

Ms. Lisa Tittle, Board of Pharmacy  
Mr. Robert Ellis, Board of Medical Examiners

The Controlled Substance Monitoring Database (CSMD) Committee convened on Monday, July 9, 2019, in the Iris Room, 665 Mainstream, Nashville, TN. Dr. Blake called the meeting to order at 9:00 a.m. and the members introduced themselves.

Dr. Blake communicated to the group that the meeting is live streaming so please make sure to speak into the microphone and make sure the green light is on to indicate microphone is active.

### **Action Items:**

Dr. Wu will report in July of 2020 the following information:

- Data sharing progress
- Clinical Impact
- Security review
- Goals for the upcoming year
- Progressive metrics for Manage Care Organization (MCO) for what they have done with CSMD data for the past year or years

### **Minutes**

Dr. Blake asked had everyone read the minutes from the meeting on February 04, 2019, and if so can the committee have a motion to approve the minutes.

- Dr. Garabedian made the motion to accept the minutes from the February 04, 2019 committee meetings, and Dr. Simpson seconded the motion,
- Move by acclimation the minutes were approved

### **Department of TennCare – Dr. Victor Wu**

- Dr. Wu presented two case reports of TennCare success stories related to utilization of CSMD data
- Dr. Wu discussed CSMD Data Integration Timeline
  - Received the CSMD data from Tennessee Department of Health (TDH) in September

- 2018
  - TennCare cleaned data and created matching process with claims data in November 2018
  - MCOs and PBM received the first CSMD extract from TennCare in January 2019
  - MCO/TennCare collaborative meeting on CSMD and Women of Childbearing Age (WCBA) outreach and engagement in February 2019
  - MCOs continuing to identify CSMD use cases for patient care and outreach July 2019
- Dr. Wu discussed the privacy and security of the CSMD data as priorities for TennCare and MCOs
  - TennCare storage of the CSMD data
    - Top-of-the-line data security systems
    - Encrypted system
    - Limited number users that can access the CSMD
    - Incidence response procedures
  - CSMD data is transferred to MCOs
    - Data transferred via the Secure File Transfer Protocol (SFTP)
    - Receiving SFTP folders at MCOs are only accessible by a few users
    - Protected by firewalls
  - MCOs firewall and store CSMD data
    - Stored in a separate table within MCO data warehouse with additional permissions needed
    - Restricted number of users
    - Log-ins are monitored by MCO's system
  - MCOs access and integrate CSMD data
    - Limited number of overall users
    - Implemented processes to include CSMD data in risk stratification process while making line level detail non-visible
    - Employee trainings & education
- Discussed the Clinical Use Cases to Date
  - Engaging women of childbearing age with opioid use
  - Appalachian Regional Prescription Opioid Response
  - Population Health Stratification
  - Medicated Assisted Treatment (MAT) Quality Metrics for Provider Education
  - Pharmacy Lock-In
- Dr. Wu asked the CSMD Committee to approve the agreement between TennCare and TDH for an additional 5 years with an annual review by CSMD committee;
  - Dr. Tharp made the motion to approve the agreement; Mr. Reeves second the motion; Dr. Blake amended the motion to include updating the committee on the clinical impact, security review, annual reports, progressive metrics for the MCOs, and goals for the upcoming year.
  - Moved by acclamation the 5 year extension was approved

#### **Legislative Update – Patrick Powell**

- **Public Chapter 87** This act redefines hemp in 43-27-101 to mirror the federal Hemp Farming Act of 2018. The act excludes hemp and any nonnarcotic substance approved by the Food and Drug Administration (FDA) that can lawfully be sold over the counter without a prescription. A license from the Department of Agriculture is required in order to produce hemp. The Commissioner of Agriculture shall promulgate rules within 120 days of this bill becoming law. This act took effect April 4, 2019.
- **Public Chapter 117** This act adds a definition of “alternative treatments” to 63-1-164

pertaining to the restrictions and limitations on treating patients with opioids. This act took effect April 9, 2019.

- **Public Chapter 124** This act makes a variety of small changes and additions to the TN Together opioid initiative put in place in 2018. One addition is allowing access to CSMD data to a healthcare practitioner under review by a quality improvement committee (QIC), as well as to the QIC, if the information is furnished by a healthcare practitioner who is the subject of the review by the QIC.

The requirement for e-prescribing of all schedule II substances by January 1, 2020 has been delayed to January 1, 2021 and is modified to require all schedule II through V prescriptions to be e-prescribed except under certain circumstances. The law also requires all pharmacy dispensing software vendors operating in the state to update their systems to allow for partial filling of controlled substances.

Definitions are given by this act to the terms palliative care, severe burn and major physical trauma. Along with its new definition, palliative care has now joined severe burn and major physical trauma as an exception to the opioid dosage limits otherwise required under TN Together.

An unintended consequence of last year's Public Chapter 1039 was on cough syrup. This act establishes that the law does not apply to opioids approved by the FDA to treat upper respiratory symptoms or cough, but limits such cough syrup to a 14 day supply.

Also changed from last year's act is the requirement to partial fill. Partial filling of opioids is now permissive.

Finally, the opioid limits have been simplified from the previous year's act. The twenty day supply and morphine milligram equivalent limit has been eliminated. Three day and ten day requirements remain the same. Instances such as more than minimally invasive surgery, which previously fell under the twenty day provision, now can be treated under the limits of the thirty day category. This act took effect on April 9, 2019.

- **Public Chapter 264** This act permits the attorney general, reporter, and personnel to access confidential data from the Controlled Substance Monitoring Database upon request for the purposes of investigation or litigation of a civil action. Release of this information to other parties must be accompanied by an appropriate protective order. This bill was brought by the Office of the Attorney General. This act took effect April 30, 2019.
- **Public Chapter 327** This act requires the Commissioner of Health, by January 1, 2020, to study instances when co-prescribing of naloxone with an opioid is beneficial and publish the results to each prescribing board and to the board of pharmacy. The findings shall be included in the chronic pain guidelines adopted by the Chronic Pain Guidelines Committee. This act took effect May 8, 2019.
- **Public Chapter 447** This act permits law enforcement agencies to subpoena materials and documents pertaining to an investigation conducted by the Department of Health prior to formal disciplinary charges being filed against the provider. This bill was brought by the Tennessee Bureau of Investigation. This act went into effect May 22, 2019.

#### Office of General Counsel - Andrew Coffman

- Mr. Coffman reported prescribing cases for January 2019 through May 2019
  - Four Nursing cases
  - Six BME cases

- One Dentistry case
  - Discussed Dr. Robin Daniel case
- One Physician Assistant case
- Mr. Coffman updated the committee on the Commissioner CSMD Rules and the CSMD Advisory Rules
  - Some definitions were removed
  - New definitions have been added
- Mr. Coffman requested approval for two individuals from the Office of General Counsel to attend the National Association of State Controlled Substances Authority in Richmond, Virginia on October 20-24, 2019. The cost will not exceed \$2,500 per person.
  - Dr. Pavuluri made the motion to approve Mr. Coffman and Andrea Huddleston's travel to the National Association of State Controlled Substances Authority, and Dr. Garabedian seconded the motion,
  - Move by acclamation Mr. Coffman and Ms. Huddleston's travel were approved

**Medical Director for Special Projects – Dr. Linda Johnson**

- There is 126 active pain management clinics as of July 1, 2019
  - 118 licensed pain clinics
  - 8 certificate holders
  - 21 clinics pending approval
- Dr. Johnson shared with the committee the 2019 symposia dates:
  - <https://www.etsu.edu/com/cme/tndoh2018.php>
  - July 25, 2019            Johnson County
  - August 22, 2019        Bradley County
  - September 5, 2019     Obion County
  - September 12, 2019    Hamilton County
  - October 3, 2019        Bledsoe County
  - October 24, 2019      Putnam County
  - November 7, 2019     Cheatham County
- Regional Heroin/Opioid Diversion Seminar
  - July 9, 2019            Lenoir City, TN
  - July 11, 2019          Manchester, TN
  - July 23, 2019          Dickson, TN
- Dr. Johnson discussed the updates to the Chronic Pain Guidelines:
  - Adding a disclaimer
  - Emergency Room Prescribing Update
  - CSMD Update
  - Naloxone Prescribing Update
  - Levorphanol Prescribing Appendix
  - Amphetamine Prescribing Appendix
  - Benzodiazepine Prescribing Appendix
  - Dental Appendix
- Next Chronic Pain Guidelines Meeting:
  - September 27, 2019
  - Iris Conference Room

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

- Dr. Bess updated the committee on the new doctor shopping form as a result of collaboration with TBI. The committee was asked to suggest any improvements to the new form that will be posted on the CSMD website.

- Gateway Amendment Update
  - TN's strategy to offer statewide Electronic Health Record (EHR)/Pharmacy Management software workflow integration using Gateway Service has been shared during the outreach programs
  - TDH contract logistics must be completed prior to a finalized contract amendment that would allow the project to begin
- Tennessee currently working on interstate data sharing with Florida;
  - PMPi worksheet discussions completed
  - Florida will have to make changes in the way their roles are populated prior to go live
- Tennessee is currently targeting the following states:
  - Rhode Island
  - Massachusetts
  - Wisconsin
- CSMD Committee Dates for 2020;
  - February 3, 2020
  - April 7, 2020
  - June 23, 2020
  - October 6, 2020

**Election for Chair and Vice Chair of the CSMD Committee**

- Dr. Melanie Blake nominated Dr. Robert Simpson as the Vice-Chair of the CSMD Committee, and Dr. Shant Garabedian second the motion,
  - Move by acclamation that Dr. Simpson is the Vice-Chair of the CSMD committee was approved
- Dr. Robert Simpson nominated Dr. Melanie Blake as the Chair of the CSMD Committee, and Mr. Reeves second the motion,
  - Move by acclamation that Dr. Blake is the Chair of the CSMD Committee was approved

The meeting adjourned at 10:39 a.m.