



MEMBERS PRESENT

Dr. Melanie Blake, Board of Medical Examiners, Chairperson
Dr. Robert Simpson, Board of Veterinary Medicine, Vice Chairperson
Dr. Bhekumuzi Khumalo, Podiatry Board
Ms. Amber Wyatt, Board of Nursing
Mr. Robert Ellis, Board of Medical Examiners
Dr. Adam Rodgers, Board of Pharmacy
Dr. Robert Caldwell, Board of Dentistry
Dr. Tonya Reynoldson, Board of Optometry
Dr. Shant Garabedian, Osteopathic Board
Jake Bynum, Board of Pharmacy Public Member

STAFF PRESENT

Dr. D. Todd Bess, Director of Controlled Substance Monitoring Database
Mr. David Silvas, Attorney, Office of General Counsel
Ms. Debora Sanford, Clinical Application Coordinator
Ms. Tracy Bacchus, Administrative Assistant
Ms. Tonga Johnson, Project Manager
Ms. Jaime Byerly, Office of Investigation
Mr. Grant Mullins, General Counsel for Tennessee Department of Health
Ms. Jennifer Putnam, Deputy Director
Ms. Alicia Grice, Office of Finance
Dr. Wesley Geminn, Mental Health and Substance Abuse
Dr. Reginald Dilliard, Executive Director of Board of Pharmacy
Mr. George Darden, Health Related Boards Director

MEMBERS ABSENT

Mr. Brett Reeves, Committee on Physician Assistants

STAFF ABSENT

Dr. Mitchell Mutter, Medical Director for Special Projects

The Controlled Substance Monitoring Database (CSMD) Committee convened via WebEx on Tuesday, February 2, 2021, 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.

Action Items:

Drill down of stimulants at one of our meeting in 2021

Minutes

Dr. Blake asked had everyone read the minutes from the meeting on October 6, 2020, and if so could the committee have a motion to approve the minutes.

- Dr. Robert Simpson made the motion to accept the minutes from the October 6, 2020 committee meetings, and Dr. Shant Garabedian seconded the motion,
- A roll call vote was taken and the minutes were approved



Office of Health Related Boards – Jennifer Putnam

Ms. Putnam introduced two new Department of Health staff members:

- Grant H. Mullins, General Counsel, Tennessee Department of Health
- George Darden, Director of Health Related Boards

Office of Investigations (OIV) – Jaime Byerly

• Pain Management Clinics

- There are 16 total pending applications.
 - Three are incomplete
 - Thirteen are pending completion (inspection or approval).
 - The executive order that suspended Pain Management Clinic (PMC) inspections expired in early September 2020. There were 56 inspections suspended due to COVID-19; 42 have been completed. OIV is prioritizing those with conditional licenses and those requiring follow up inspections.
 - 50 PMC inspections were completed in calendar year 2020.

• Four complaints were received on PMCs in 2020.

- Three complaints were for overprescribing.
- One complaint was for fraud.

• Current PMC complaints:

- Three complaints are pending first review.
- Four complaints are pending second review.

• Overprescribing Complaints MD:

- Pending first review: 22
- Currently being investigated: 6
- Pending second review: 27
- Pending expert review: 1
- Pending third party action: 2

• Overprescribing Complaints DO:

- Pending 2nd Review: 2
- Pending third party action: 2

• Overprescribing Complaints APRN:

- Pending first review: 10
- Currently being investigated: 2
- Further investigation: 1
- Pending second review: 9
- Pending third party action: 1

• Overprescribing Complaints PA:

- Pending first review: 2
- Pending second review: 2
- Pending third party action: 2
- There are no open complaints for dentists, podiatrists, or veterinarians.

Office of General Counsel – David Silvus

- Reported prescribing cases for September 2020 through December 2020
 - Four BME cases
 - One Physician Assistant case

- Federal regulation on reporting of buprenorphine changed late 2020
 - No longer prohibit reporting buprenorphine dispensed, and this effects two kind of facilities
 - Office Based Opioid Treatment Plus
 - Hospitals
 - David Silvus discussed the current challenges with the CSMD regulations and that legislation would be required to resolve current challenges with non-pharmacy dispenser reporting to CSMD data collection.
- David Silvus discussed the CSMD rules, and there were two unresolved issues:
 - Patient Gender
 - The Office of Informatics and Analytics values this information for their ongoing overdose evaluation work.
 - Mr. Simpson stated that the gender field is a three-field option male, female, and unknown. The committee discussed how this provides some needed flexibility in reporting.
 - Prescription Discount Cards
 - David Silvus also discussed the challenges with the draft rules and the CSMD prescription reporting challenges with prescription discount cards.
 - Dr. Dilliard stated that the discount card resolution would require significant input on a national level especially as it relates to pharmacy software systems.
 - TDH would need to wait until the software developers come up with a solution on how to handle the prescription discount cards.
 - Dr. Blake asked why would TDH need to know about prescription discount card and Mr. Silvus said that the rules require a payment method be reported a certain way in the CSMD.
 - Mr. Silvus asked the committee to vote on if the committee wanted to keep gender in the current CSMD draft rules.
 - Dr. Robert Simpson made the motion to leave as is and keep gender in the CSMD rules, and Mr. Robert Ellis seconded the motion,
 - A roll call vote was taken and the CSMD committee said to leave gender in and send to the Commissioner were approved

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

The CSMD Director's report included the following:

- Gateway Update
 - During 2020, CSMD started the Gateway EHR/Pharmacy Management System project.
 - In 2020, TDH received a Department of Justice's (DOJ) Bureau of Justice Assistance (BJA) grant to provide funding for a third year on this project.
 - Independent of the Tennessee statewide Gateway project, VHA clinical facilities implemented Gateway in Tennessee and across the United States. Tennessee is proud to support the VHA's efforts to slow the spread of Substance Use Disorder (SUD) among veterans.
- Dr. Bess updated the committee on the 2020 progress related to Interstate Data Sharing.
- CSMD Annual Legislative Report Review
 - Dr. Bess reviewed the suggested Appendix for the report as follows:
 - The CSMD data used for this report were downloaded on January 5, 2021. MME calculations were only limited to the opioid products that were listed in CDC's MME conversion tables from 2011 to 2020. The CDC has adjusted certain drug conversion factors over time for various reasons. If a drug had different MME

conversion factors in different version tables, the data analysis provided through 2020 used the conversion factor provided in the latest CDC version table. Therefore, different MME results for a similar indicator would be expected for CSMD annual reports published in previous years. Prescriptions and MME identified for TN patients were based on a patient's state listed as 'TN' or state Federal Information Processing Standard (FIPS) code of '47' on the patient's address associated with a prescription. Otherwise, the patient was identified as a non-TN patient. Classification of controlled substances was based on combination of CDC tables and 2020 IBM Micromedex Red Book Select file. If a drug in the CSMD was not classified, the drug was classified as 'other' in this report. Due to improvements in the classification of prescriptions reported to the CSMD, some totals in this year's report may appear larger than in previous years. In particular, stimulant counts have increased with the addition of Schedule III and IV stimulants, and gabapentin prescriptions are now classified separately. These prescriptions were previously classified in the 'other' category. Please note that human and animal prescription data are included in this report as it relates to the data analysis through 2020.

- Dr. Bess highlighted the following related to the report
 - Number of individuals registered in the CSMD at the end of 2020 was 58,379
 - Ratio of the number prescriptions to the number of request was 1.1
 - Potential Doctor and Pharmacy Shoppers decreased by 92% since 2012.
 - The report demonstrates continued improvements in overall controlled substance prescribing and dispensing across the state.
- Dr. Blake asked had everyone read the 2021 CSMS Legislative Report, and if so could the committee have a motion to approve the 2021 CSMD Legislative Report.
 - Dr. Robert Simpson made the motion to accept the 2021 CSMS Legislative Report, and Dr. Adam Rodgers seconded the motion,
 - A roll call vote was taken and the 2021 CSMS Legislative Report were approved

The meeting adjourned at 10:10 a.m.