

CONTROLLED SUBSTANCE MONITORING DATABASE  
COMMITTEE MEETING  
OCTOBER 8, 2013  
665 MAINSTREAM DRIVE, IRIS ROOM  
NASHVILLE, TN  
MINUTES

**MEMBERS PRESENT**

Dr. Michael Baron, Vice Chairperson, Board of Medical Examiners  
Dr. Lawrence Hsia, Board of Dentistry  
Dr. Reginald Dilliard, Board of Pharmacy  
Dr. Richard Orgain, Board of Optometry  
Ms. Rosemaire Otto, Director, Health Related Boards/Executive Director,  
Board of Medical Examiners  
Ms. Patricia Eller, Board of Medical Examiners  
Ms. Joyce McDaniel, Board of Pharmacy

**MEMBERS ABSENT**

Dr. Jason Kizer, Board of Pharmacy  
Mr. Johnnie Presley, Board of Physician Assistant  
Dr. Paul Somers, Jr., Board of Podiatric Medical Examiners  
Mr. Brent Earwood, Board of Nursing  
Dr. Forest Reynolds, Board of Veterinary Medical Examiners  
Dr. Don Polk, Board of Osteopathic Examiners, Chairperson

**STAFF PRESENT**

Dr. Andrew Holt, Director, Controlled Substance Monitoring Database  
Ms. Michelle Long, JD., Assistant Commissioner, Department of Health  
Mr. Stefan Cange, Assistant General Counsel  
Dr. Mitchell Mutter, Medical Director of Special Projects  
Ms. Jane Young, Chief General Counsel  
Ms. Sheila Bush, Administrative Manager  
Dr. Zhi Chen, Epidemiologist, Controlled Substance Monitoring Database  
Ms. Tracy Bacchus, Administrative Assistant  
Ms. Debora Sanford, Project Manager

The Controlled Substance Monitoring Database Committee convened on Tuesday, October 8, 2013, in the Iris Room, 665 Mainstream Drive, Nashville, TN. Dr. Baron called the meeting to order at 9:03 a.m. and requested that each member introduce themselves. A quorum of the members was present.

**Minutes**

Ms. McDaniel made the motion to accept the minutes from the August 20, 2013 board meeting as presented. Dr. Orgain seconded the motion. The motion carried.

## **Elections**

Ms. Eller made the motion to nominate Dr. Baron to be chairperson of the committee. Ms. Otto seconded the motion. The motion carried. Ms. Otto made the motion to nominate Ms. Eller to be vice chairperson of the committee. Ms. McDaniel seconded the motion. The motion carried.

## **Director's Report**

Dr. Holt informed the committee that for the calendar year August 2012 through July 2013 there was a 50% decrease in doctor's shoppers. The formula used was 150 dosage units per month, 4 prescribers and 4 pharmacies. Dr. Holt stated that the Center for Disease Control tested 5 prescribers and 5 pharmacies within a 3 month period also showed a 50% decrease. Also, during the period of August 2012 through July 2103, there was an 8% decrease in prescription reporting, 12% decrease in morphine milligram equivalents (mme) and 7 to 8 % decrease for opioids and benzodiazepines. Ms. McDaniel asked if this information is shared with law enforcement to check if there has been a decrease in sales of illegal drugs. Dr. Holt stated that they have not shared this information with law enforcement. Dr. Holt also stated that there is a certain level where it becomes diversion and not abuse. If you take the quantity that a high utilization person takes it tends to lead to an unintentional overdose death or overdose death near miss. There was a point when overdose deaths have decrease as a person increases dosage units and morphine equivalents. Dr. Holt stated that most providers will share information with law enforcements concerning doctor shoppers. Dr. Holt stated that since the prescription safety act there has been an increase in registrants to the database and well as an increase with request to access the database. Dr. Baron asked how many licensed prescribers in Tennessee with a Tennessee address. Dr. Mutters stated that it is roughly 30,000 with DEA certificates and Tennessee addresses. Dr. Baron asked Dr. Holt to look at the outliers to see if that number is decreasing. Dr. Holt stated that he will look into this and have the results at the next meeting. Dr. Orgain asked what percentages of the Top 50 over prescribers are considered justifiable due to the nature of their practice and what percentage is not justifiable. Dr. Mutter stated that 10 responses were appropriate and closed, 38 gave inadequate responses in which situations where prescribers wrote back and stated that they were not midlevel supervisors and some have not responded at all and 2 were added to existing investigations.

Dr. Holt gave a brief overview of the Harold Rogers Prescription Monitoring Program Meeting Washington, DC he attended in September. Dr. Holt presented Health Policy and Prescription Monitoring Program Use in collaboration with the ASHTO (Alliance State and Territorial Health Officials) Group and Prescription Monitoring Program Best Practices at the conference.

Dr. Holt gave an update of the enhancements to the database. On September 24, 2013, the first phase was implemented and on October 7, 2013 they begin testing on the seconded phase of the enhancements. This enhancement includes the clinical notifications, peer to peer prescriber report and multi-patient lookups.

### **Office of General Counsel Report**

Mr. Cange informed the committee that the Commissioner of the Department of Health has proposed rules which clarify current rule provisions that apply to veterinarians. The rulemaking hearing is scheduled for October 21, 2013 in the Iris Room, 665 Mainstream Drive.

### **Medical Director of Special Projects Report**

Dr. Mutter explained to the committee that Representative Dunn has asked that a Community Beta Study be conducted in Knox County TN. In Knox County there are 36 pain clinics and they have had 84 unintentional overdose deaths in 2011 and have a high incidental rate of the Neonatal Abstinence Syndrome (NAS) in the state.

Dr. Mutter informed the committee that there were 16% physician assistants, 26% medical doctors and 58% APN's listed for the Top 50 prescribers.

### **Committee Business**

Dr. Holt informed the board about an enhancement that was made to the database that requires the midlevel practitioner to put input the driver license number of their supervisor in the database to connect the supervising physician to the APN and/or PA. Ms. Sharon Adkins, Executive Director, Tennessee Nursing Association, stated that they were in support of identifying the supervising physician but this request was added without any warning. After discussion, Dr. Dilliard made the motion to require the driver's license number of the supervising physician to link the midlevel practitioner to their supervising physician. Ms. McDaniel seconded the motion. The motion carried. Mr. Cange stated that he will draft some rules concerning this issue and have them available to the committee at the December committee meeting.

Dr. Holt asked the committee to decide on threshold levels for the clinical push notifications. Dr. Holt stated that they would need a yellow warning that was greater than or equal to 100 morphine equivalent. Dr. Baron made the motion to have the threshold of 90 morphine equivalent for yellow and 120 morphine equivalent for red. Dr. Orgain seconded the motion. The motion carried. Dr. Orgain made the motion to have the prescriber threshold to be 3 prescribers for yellow and 4 prescribers for red. Dr. Hsia seconded the motion. The motion carried.

Dr. Orgain made the motion to adjourn. Ms. Eller seconded the motion. The motion carried.

**These minutes were ratified and approved at the January 27, 2014 committee meeting.**