

OPIOID MINIMUM DISCIPLINE TASK FORCE MEETING MINUTES

DATE: April 17, 2019
TIME: 9:00 A.M., CT
LOCATION: Health Related Boards
Poplar Room
665 Mainstream Drive
Nashville, Tennessee

BOARD MEMBERS

PRESENT: J. Michael Wieting, DO - Board of Osteopathic Examination
Thomas C. Williams, DDS – Board of Dentistry
John W. Hale, Jr., MD - Board of Medical Examiners – Chairman
Mark Allen Young, RN, APN – Board of Nursing
Jennifer G. Uhl, OD – Board of Optometry

BOARD MEMBERS

ABSENT: Ramesh B. Pavuluri, DPM – Board of Podiatric Medical
Examiners
Gregory Cain, PA-C – Committee on Physician Assistants

STAFF

PRESENT: Mary Katherine Bratton, Chief Deputy General Counsel
Ashley Fine, Rules Coordinator, Office of General Counsel
John W. Tidewell, Health Related Boards Director
Yvette Vagle, Board Administrator

Dr. John W. Hale, Jr., Chairman, called the meeting to order at 9:07 a.m. A roll call was conducted, and a quorum was present.

Review/Approve October 31, 2018 Board Meeting Minutes

Upon review of the October 31, 2018 Board Meeting Minutes, Dr. Wieting made a motion to approve the minutes. The motion was seconded by Dr. Uhl. The motion carried.

Rulemaking Hearing regarding minimum discipline for opioid prescribers

Mary Katherine Bratton, Chief Deputy General Counsel with the Department of Health, called the Rulemaking Hearing to order. The purpose for the Rulemaking Hearing was to solicit comments on rules purposed by the Taskforce in order to amend rules 0880-02-.25, 1050-02-.23, 0460-02-.15, 1155-02-.24, 1045-02-.18, 1000-04-.11 and 0880-03-.25. The new rule is required by Public Chapter 978 of the 110th General Assembly and creates the minimum disciplinary

standards required to be imposed by Health Related Licensing Boards and committees when there is a finding that a licensee engaged in inappropriate opioid prescribing.

Ms. Bratton read the proposed rules into the record. She stated the Attorney General's Office offered some suggested changes to the rules, which were incorporated into the filed emergency rules, to ensure the rules are broad enough to capture all of the potential minimum discipline related to opioid prescribing. Dr. Hale asked for a motion for the purpose of discussion of these suggested changes and the recommendations. Dr. Wieting made a motion to accept and discuss the Attorney General's Office recommendations. Mr. Young made a second to the motion. The motion carried by a unanimous vote.

Ms. Bratton stated the recommendation from the Office of General Counsel is to vote on the notice as it appeared before the Taskforce, with all of the suggestions from the Attorney General's Office except for language in (5)(f). Following discussion by the Task Force and comments from the public, Dr. Williams made a motion to accept the Office of General Counsel's recommendation to adopt the emergency rule language with the exception of language in (5)(f). Mr. Young made a second to the motion. The motion carried by a unanimous vote.

Dr. Hale stated the Taskforce is voting on the original motion to accept the rules in their entirety with the exception of language in (5)(f). The motion carried by a unanimous vote.

Mr. Young made a motion to accept the Regulatory Flexibility Analysis. Dr. Wieting made a second to the motion. The motion carried by a unanimous vote.

Mr. Young made a motion to accept the Statement of Economic Impact to Small Businesses. Dr. Wieting made a second to the motion. The motion carried by a unanimous vote.

Ms. Bratton did roll call vote Mark Young, Dr. Jennifer Uhl, Dr. J. Michael Wieting, Dr. John Hale, and Dr. Thomas Williams were present.

Adjourn

At 9:48 a.m., Mr. Young made a motion to adjourn the meeting. The motion was seconded by Dr. Wieting.