

**Missouri State Board of Registration for the Healing Arts
3605 Missouri Blvd.
Jefferson City, MO 65109**

**Open Meeting Minutes
June 5, 2016 – 7:00 p.m.
Conference Call**

The members of the Missouri State Board of Registration for the Healing Arts convened at 7:00 p.m. on Sunday, June 5, 2016, via a conference call, which originated from the Board office at 3605 Missouri Blvd., Jefferson City, Missouri 65109.

Board Members Present:

Jeffrey D. Carter, MD, President
David E. Tannehill, DO, Secretary
James A. DiRenna, Jr, DO, Member
Jade A. James, MD, Member
Sarah Martin-Anderson, PhD, Member
David A. Poggemeier, MD, Member

Board Members Absent:

Bradley Freeman, MD

Staff Present:

Connie Clarkston, Executive Director
James Leggett, Executive I
Paul Lefebvre, Associate General Counsel
Jerald Barnes, Chief Investigator
William Smittle, DO, Chief Medical Officer

1. Approval of Open Minutes

Motion made by Dr. James and seconded by Dr. Poggemeier to approve the April 14-15, 2016 open meeting minutes. Dr. Anderson, Dr. DiRenna, Dr. James, Dr. Tannehill, and Dr. Poggemeier voted in favor of the motion. Dr. Freeman was not present. The motion carried unanimously.

2. Proposed Fee Decrease

During its January 15, 2016 meeting, the Board reviewed a financial summary and projections indicating the balance in the Board's fund would exceed three (3) times its annual appropriation by 2017, which would result in the excess funds being swept to General Revenue. To avoid revenue from being swept to the general revenue fund, the Board has the option to do a fee reduction. Proposed rule changes were presented for the Board's review.

Motion made by Dr. James and seconded by Dr. Poggemeier to approve the proposed fee decrease as submitted. Dr. Anderson, Dr. DiRenna, Dr. James, Dr. Tannehill, and Dr. Poggemeier voted in favor of the motion. Dr. Freeman was not present. The motion carried unanimously.

Following the discussion of Agenda Item 6.-Opioid Prescribing, a motion was made by Dr. James and seconded by Dr. DiRenna to retract the previous vote and table the fee decrease. Dr. Anderson, Dr. DiRenna, Dr. James, Dr. Tannehill, and Dr. Poggemeier voted in favor of the motion. Dr. Freeman was not present. The motion carried unanimously.

3. Board Delegated Authorities – 334.040, RSMo

A revised draft of the Board Delegated Authorities, including amended language pertaining to the waiver of licensure requirements under section 334.040, RSMo, were presented for the Board's review and approval.

Motion made by Dr. Tannehill and seconded by Dr. James to approve the revisions as submitted. Dr. Anderson, Dr. DiRenna, Dr. James, Dr. Tannehill, and Dr. Poggemeier voted in favor of the motion. Dr. Freeman was not present. The motion carried unanimously.

4. Statement for the Missouri Board of Pharmacy

During its April 15, 2016 meeting, the Board met with the Executive Director of the Missouri State Board of Pharmacy (Board of Pharmacy) and a Board of Pharmacy member to discuss whether a physical examination can be conducted during a telehealth encounter. At the conclusion of the discussion, the Board directed legal staff to draft a generic statement to help the Board of Pharmacy respond to inquiries from pharmacists regarding what constitutes a valid physical examination for purposes of establishing a physician-patient relationship. A memo containing the proposed statement and related legislation were presented to the Board for review.

Motion made by Dr. Tannehill and seconded by Dr. James to approve the statement as submitted. Dr. Anderson, Dr. DiRenna, Dr. James, Dr. Tannehill, and Dr. Poggemeier voted in favor of the motion. Dr. Freeman was not present. The motion carried unanimously.

5. FSMB—Compounding

The Board recently received letters from organizations expressing concern with a position paper issued by the Federation of State Medical Boards (FSMB) regarding physician compounding. Specifically, the organizations were concerned the position paper could be interpreted to mean FSMB disapproves of compounding in a physician's office, potentially limiting patients' access allergen immunotherapy. A copy of the organization letters and FSMB's proposed position paper were presented for the Board's review. Dr. Carter reported that FSMB's House of Delegates sent the position paper back to the Reference Committee for additional review. A copy of the organization's letter and FSMB's draft position paper were presented for the Board's review.

This information was provided for discussion purposes and no action was taken by the Board.

6. Opioid Prescribing

The Food and Drug Administration's (FDA) Drug Safety and Risk Management Committee and its Anesthetic and Analgesic Drug Products Advisory Committee recently held a joint meeting to discuss whether to revise the FDA's opioid Risk Evaluation and Mitigation Strategies (REMS). During the meeting, the committees reviewed the results of several studies and considered potential strategies to reduce the risk of opioid abuse, addiction and overdose. Among the proposals, the committees recommended prescribers undergo mandatory opioid training.

Materials from the FDA meeting and the FSMB Model Policy on the Use of Opioid Analgesics in the Treatment of Chronic Pain were presented for the Board's review and discussion.

Motion made by Dr. DiRenna and seconded by Dr. Poggemeier to direct staff to investigate options for the Board to provide educational outreach for licensees. Dr. Anderson, Dr. DiRenna, Dr. James, Dr. Tannehill, and Dr. Poggemeier voted in favor of the motion. Dr. Freeman was not present. The motion carried unanimously.

Closed Session

Motion made by Dr. James and seconded by Dr. DiRenna to go into closed session pursuant to sections 610.021 (1), (5), and (14), 324.001 (8) and (9), and 334.001, RSMo. Dr. Anderson, Dr. DiRenna, Dr. James, Dr. Tannehill, and Dr. Poggemeier voted in favor of the motion. Dr. Freeman was not present. The motion carried unanimously.

Adjournment

Motion made by Dr. Tannehill and seconded by Dr. DiRenna to adjourn the meeting at approximately 10:40 p.m. Dr. Anderson, Dr. DiRenna, Dr. James, Dr. Tannehill, and Dr. Poggemeier voted in favor of the motion. Dr. Freeman was not present. The motion carried unanimously.