



West Virginia Board of Osteopathic Medicine

FALL 2012

HOW SENATE BILL 437 WILL AFFECT YOUR PRESCRIBING OF CONTROLLED SUBSTANCES

During the 2012 Legislative Session, Senate Bill 437 was passed which provided specific requirements for West Virginia Licensing Boards to enforce regarding the treatment of chronic, non-malignant pain.

One requirement that will affect every physician and physician assistant licensed by the WV Board of Osteopathic Medicine is the CME requirement. Effective July 1, 2012, two hours of "End of Life Care/Pain Management" is no longer required. What takes its place is a **three-hour CME requirement**, every two years with a "Board-Approved" CME which must include drug diversion training and best practice prescribing of controlled substances. Two board-approved events will be held in 2012:

- a) September 28, 2012: Held at WVSOM for 7.5 hours Category I;
- b) November 30, 2012: Held at Embassy Suites, Charleston for 7.5 hrs Cat. I.

IF MORE THAN 50% OF PRACTICE PATIENTS ARE ON CONTROLLED SUBSTANCES FOR CHRONIC NON-MALIGNANT PAIN YOU WILL BE REQUIRED TO:

Become licensed as a Pain Management Clinic. This annual licensing process will be conducted by West Virginia DHHR, with inspections and oversight under the authority of the Office of Health Facility Licensure and Certification.

(Rules are currently be developed by the DHHR and, when completed, will be submitted for public comment. Additional information will be forthcoming.)

IF LESS THAN 50% OF YOUR PATIENTS ARE ON CONTROLLED SUBSTANCES FOR CHRONIC NON-MALIGNANT PAIN YOU ARE RESPONSIBLE FOR:

Following the seven (7) national guidelines, developed by the Federation of State Medical Boards, that support rational and transparent opioid prescribing. Each is described as follows:

- 1) Patient Evaluation: Perform a complete H&P by taking time with the patient; focusing on the patient, not the pain and using reflective listening skills.
- 2) Creating a Treatment Plan: The plan should state objectives that will be used to determine treatment success, such as pain relief and improved physical and psychosocial function. Drug therapy should not always be the first line of treatment. Other treatment modalities or rehabilitation may be necessary depending on the of the pain.
- 3) Informed Consent/Agreement for Treatment: Enter into a mutually agreed upon treatment agreement with patient. Samples of such documents can be found at www.painmed.org.
- 4) Periodic Review: Upon initial treatment, a follow up may be needed every two weeks for a while. Monitor functional status, drug side effects, conduct urine/blood drug screens, pill counts, listen to family members' comments on the patient's behaviors. Review Pharmacy Database monitoring reports and file in patient's chart.
- 5) Referral & Pain Management: If patient does not improve don't just up the dosage of prescriptions. Refer to Pain Management, Neurology or other pain specialist.
- 6) Documentation: Make sure every discussion, test result, phone call, etc. is documented.
- 7) Compliance with State Laws: Even though the use of controlled substances has proven successful in the treatment of chronic pain, it also has the potential for abuse. The medical community has been unsuccessful in halting this epidemic and now the regulatory environment is stepping up their vigilance on this issue. Senate Bill 437 has taken several legislative steps by creating licensing for chronic pain management clinics, requiring physician access to state pharmacy monitoring database and requiring ongoing practitioner CME on pain management prescribing.

INSIDE THIS ISSUE:

Disciplinary Actions	2
New Hire	2
CME Pain Management	3
Computer System	3

Disciplinary Actions in 2012



William Allen Martin, D.O.
Reprimanded and required to obtain
CME hours on diagnosis for acute abdomen.
May 2, 2012

Steven Blain O'Saile, D.O.
Reprimanded and fined with license
restrictions for unprofessional conduct.
May 23, 2012

Terry Linn Thomas, D.O.
Summary Suspension of License for
possible patient endangerment.
September 21, 2012

WV BOARD OF OSTEOPATHIC MEDICINE HIRES NEW ADMINISTRATIVE ASSISTANT



Linda Cottrill resigned as Administrative Assistant to the WV Board of Osteopathic Medicine and moved to Delmar, Maryland on August 16, 2012, to be closer to grand- children. While we will miss Linda's friendly and helpful voice from the Board Office, we have left the position in very capable hands. Chelsea Slack has been hired as the new Administrative Assistant. Chelsea is a native of Charleston and a graduate of WVU with a Bachelor of Science in Biology. She will complete a double Masters in Healthcare Administration and Human Resource Management from Marshall University at the end of the year. We welcome Chelsea to our Charleston Office.

7.5 Hours CME

Conference faculty includes West Virginia's leading physician experts in the treatment of chronic pain.

Best Practice Prescribing of Controlled Substances and Drug Diversion Training

November 30, 2012
Embassy Suites
Charleston, WV

Presented by:

West Virginia
Board of Medicine



WEST VIRGINIA
State
Medical
Association

WEST VIRGINIA
OSTEOPATHIC
MEDICAL ASSOCIATION

This program meets the new CME requirement for physicians and physician assistants under West Virginia law.

Featured National Speakers:



Scott M. Fishman, MD
Chief of the Division of Pain Medicine and professor of Anesthesiology and Pain Medicine at the University of California, Davis, and author of *Responsible Opioid Prescribing: A Clinician's Guide*



C. Scott Anthony, DO
Pain Management of Tulsa, Clinical Professor of Surgery, Oklahoma State University Center for Health Sciences College of Osteopathic Medicine

A comprehensive one day program addressing:

- Case studies of patients with chronic pain
- Epidemiology of chronic pain including the use and misuse of opioids
- Identification of diversion and drug seeking tactics and behaviors
- Effective use of the West Virginia Controlled Substances Monitoring Program
- Compliance with controlled substances laws and rules

Participants will receive a copy of the handbook, *Responsible Opioid Prescribing: A Clinician's Guide* by pain expert Scott M. Fishman, MD. This handbook has been endorsed by the Federation of State Medical Boards and is approved for an additional 7.25 Category 1 CME credits.

Physicians: The CWAC Health Education and Research Institute's CME program is accredited by the Accreditation Council for Continuing Medical Education to sponsor continuing medical education for physicians. The CWAC Health Education and Research Institute designates this live activity for a maximum of 7.5 AMA PRA Category 1 Credits™.

The West Virginia Osteopathic Medical Association (WVOMA) is sponsored by the American Osteopathic Association (AOA) to sponsor continuing medical education for physicians. WVOMA has designated this program for a maximum of 7.5 hours of AOA 3-A CME credits pending approval by the AOA (CME).

Meets CME requirements for physicians via AMA PRA Category 1 Credits™.

Nurses: The CWAC Health Education and Research Institute is accredited as a provider of continuing education in nursing by the West Virginia Nurses Association.

The West Virginia Nurses Association is an accredited provider of continuing education in nursing by the American Nurses Credentialing Center's Commission on Accreditation. This program has been approved for 7.5 contact hours (0713-34-1343).

This conference is jointly sponsored by CWAC Health Education and Research Institute, a continuing education center.

For more information and conference registration visit wvsma.org or wvoma.org



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SAVE THE DATE!

Board Approved CME for
Prescribing of Controlled
Substances and Drug Diversion
Training.

Friday, November 30, 2012
Embassy Suites
Charleston, WV

BOARD OFFICE PURCHASES NEW COMPUTER SYSTEM

The current, Board licensing database was written in Microsoft Access over 15 years ago and, while it has served the Osteopathic Board well, it has needed some major upgrading. The Board has approved the purchase of Big Picture Software, a national professional licensing product, from Albertson Consulting, Inc., out of Minot, North Dakota. Included in the purchase price is the total redesign of the Board's website along with multiple reporting functions. This purchase will bring the WV Osteopathic Board into the 21st century and allow us to function more efficiently and effectively. Implementation of the system should take 5-6 months and we are hoping to be up and running by the 2013 license renewal period.