



**WEST VIRGINIA
BOARD OF OSTEOPATHIC MEDICINE
NEWSLETTER
APRIL 2017**

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**WV BOARD OF OSTEOPATHIC PHYSICIAN LICENSES
DUE TO EXPIRE JUNE 30, 2017**

If you received a postcard with this newsletter, that means your license is up for renewal before June 30, 2017. ***THIS IS YOUR ONLY REMINDER***, so go to our website, www.wvbdosteo.org after May 1, 2017 and complete your renewal(s) for license, CSL, PLLC, or Corporation.

Make sure you submit your 32 hours of CME which must include 16 AOA hours and 3 hours of a board-approved CME on Pain Prescribing. Also a \$125 PICF fee has been assessed by the Legislature over the next two renewal cycles to fund the Patient Injury Compensation Fund. And, if you have not registered with the Controlled Substance Monitoring Program the Board cannot renew your license without proof of registration provided by the licensee. You may also be fined if not registered with the CSMP.

***Please do not discard this publication!
Important License Renewal Information Enclosed!!!***

NOTICE TO STATE MEDICAL BOARDS REGARDING ALARMING TRENDS IN PRESCRIBING

Three business arrangements are being implemented throughout the United States that may violate federal and state anti-kickback and fraud laws, as well as violate provisions related to prescribing as set forth in your state's medical practice act. They are as follows:

- 1) Compounding pharmacies are hiring marketing firms to approach medical practices and/or their staff with proposals to offer "bonuses" if they prescribe through that pharmacy. However, the prescriptions are routed through call centers and these "bonuses" may be classified as kickbacks under federal and state laws.

- 2) These same call centers are being used to route prescriptions to specific pharmacies that have contracts with the patient's insurer. Drug combinations may be altered at the pharmacy to find an insurer who will reimburse for that combination. Modifications are done outside the purview of the pharmacists and result in exorbitant reimbursements of thousands for what may have been sold for dollars at the local pharmacy. This is not in reference to approved formulary changes in hospital or institution-based pharmacies.

- 3) These deceptive business practices have also been found to change labels on medications in order to provide the originally prescribed medication using a label that results in maximum reimbursement from an insurer.

CURRENT WV OSTEOPATHIC STATISTICS

As of the printing of this newsletter the following statistics reflect the licensing of osteopaths in the state of West Virginia:



***Total Number of Physicians
Licensed in West Virginia*** **1,283**

***Total Number Practicing
in West Virginia:*** **1,090**

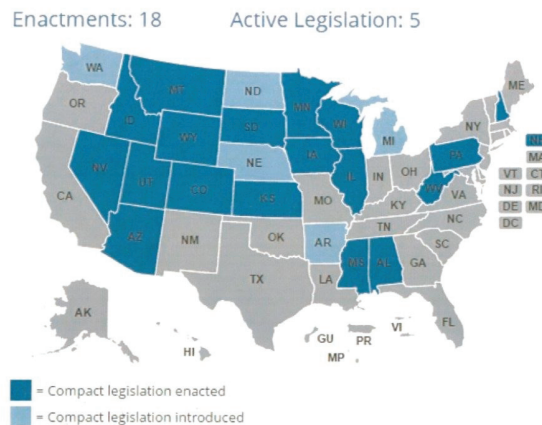
***Total Number of Osteopathic PA's
Licensed in West Virginia:*** **223**

INTERSTATE MEDICAL LICENSURE COMPACT GOES LIVE!

WV Legislature passed the Interstate Medical Licensure Compact during their 2016 legislative session. The IMLC provides for an expedited license to practice in physician-selected member states within the Compact. Currently, 18 states have adopted the Compact Legislation. Please see the map to determine those states who have already passed the legislation and those who have introduced it in their 2017 state legislatures.

In June 2016, the Commission had hoped to have the expedited licensure process available on their website, IMLCC.org by January 2017. However, that date was delayed until April 3, 2017. A HRSA grant of \$250,000 has been awarded to aid in the development of this licensing process and Bylaws and Rules have been developed and approved by the Commission for this work.

All Commission meetings are public as it is an extension of all member state governments and it has received a great deal of interest from a variety of practice groups, corporations and healthcare institutions.



2017 LEGISLATIVE CHANGES AFFECTING OSTEOPATHIC PHYSICIANS & PA'S

The following is a list of some of the legislation passed during the 2017 Legislative Session which may affect your practice of Osteopathic Medicine:

SB 4: Changes §30-14-12b to allow Osteopathic physician in good standing to donate medical care of the indigent and needy under an arrangement with a clinic organized to provide free care. The services may be provided in a clinic setting or in the physician's office.

SB 339: Establishes two coalitions for responsible pain management and diabetes management respectively. Physician members will be appointed by the President of Senate and Speaker of House in consultation with co-chairs of Joint Committee on Health.
& SB 360:

SB 347: Would have established collaborative agreements between PA's and physicians, eliminated the need for NCCPA certification for licensure, changed the reimbursement rate for PA's and given signature authority for death certificates and DNR's. Bill was vetoed by the Governor.

SB 578: Requires physicians to provide a requested copy of the medical record to the patient, their personal representative or authorized agent within 30 days of the request. The physician may charge a handling fee of \$30 plus \$0.40/page. An indigent patient is authorized to receive one free copy of their medical record.

HB2219: Approved the following legislative rule changes for Osteopathic DO, PA and Resident Licensing:

- 1) Moral Character Forms no longer required;
- 2) Criminal Background checks required at initial licensing;

HB2509: Prescribing Controlled Substances via telemedicine is prohibited with the following exemptions:

- 1) When providing treatment to and keeping records for minors



who are enrolled in a primary or secondary education program and diagnosed with intellectual or developmental disabilities, neurological disease, ADD, Autism or a traumatic brain injury according to guidelines established by APA, AACAP or AAP.

- HB2518:** Allows Pharmacists and Pharmacy Interns to administer Flu and HPV vaccines with a physician order.
- HB2628:** Board may discipline a licensee that knowingly fails to report an act of gross misconduct committed by another licensee of the Board;
- HB2631:** Currently, law requires complaints be resolved within twelve months, unless an agreed upon extension has been received in writing. However, this bill turned the 12 month clock off if the licensee or their counsel were the cause for the delay.

MEMORIALS 2016

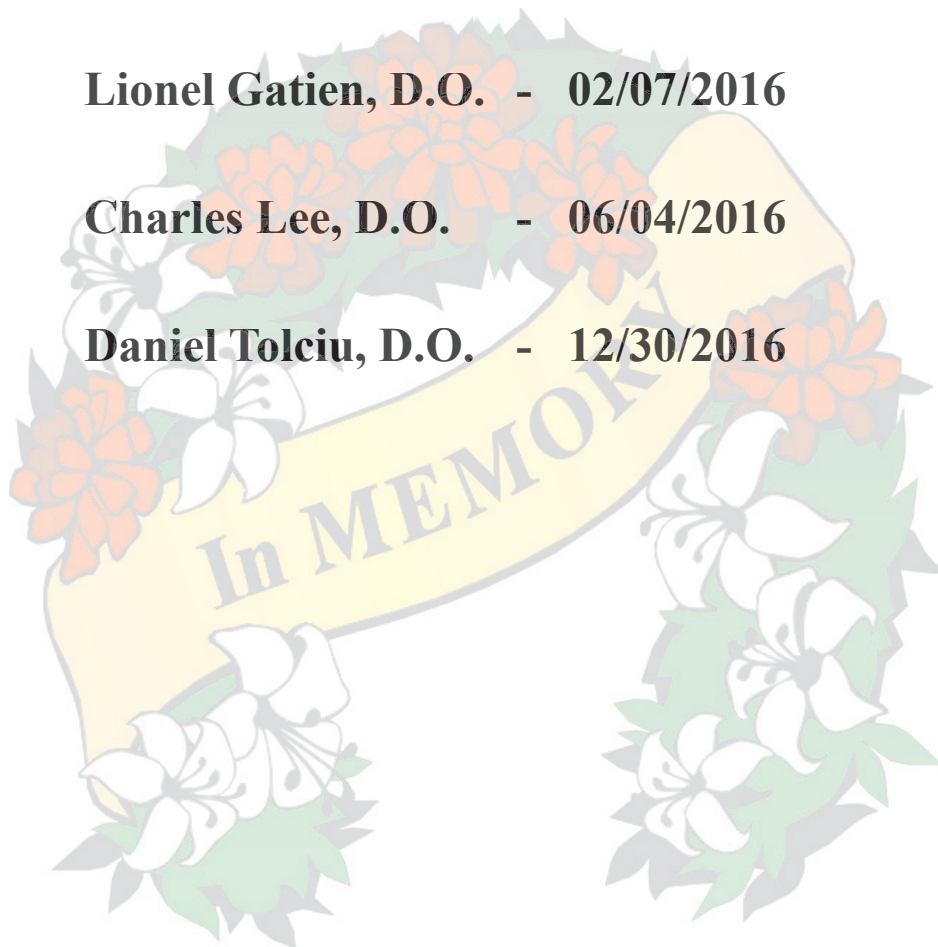
John Beard, D.O. - 10/19/2016

Rondal Boyce, D.O. - 02/25/2016

Lionel Gatien, D.O. - 02/07/2016

Charles Lee, D.O. - 06/04/2016

Daniel Tolciu, D.O. - 12/30/2016



DISCIPLINARY ACTIONS TAKEN SINCE LAST NEWSLETTER

12/15/2016: Timothy Peasak, D.O.
Reprimanded Fined

12/15/2016: Joshua Baker, PA-C
Reprimanded and Fined

2/22/2017: James Blume, D.O.
License Revoked

2/22/2017: Craig Swann, D.O.
License Suspended

3/14/2017: Brandon Cestaric, D.O.
6 Month Suspension





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