

**VIRGINIA BOARD OF MEDICINE  
LEGISLATIVE COMMITTEE MINUTES**

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Friday, January 27, 2017

Department of Health Professions

Henrico, VA

**CALL TO ORDER:**

The meeting convened at 8:40 a.m.

**ROLL CALL:**

Mr. Heaberlin called the roll; a quorum was established.

**MEMBERS PRESENT:**

Kevin O'Connor, MD, Vice-President, Chair  
Barbara Allison-Bryan, MD, President  
Syed Salman Ali, MD  
David Giammittorio, MD  
Wayne Reynolds, DO

**MEMBERS ABSENT:**

Svinder Toor, MD  
The Honorable Jasmine Gore

**STAFF PRESENT:**

William L. Harp, MD, Executive Director  
Jennifer Deschenes, JD, Deputy Director, Discipline  
Alan Heaberlin, Deputy Director, Licensure  
Barbara Matusiak, MD, Medical Review Coordinator  
Colanthia Morton Opher, Operations Manager  
David Brown, DC, DHP Director  
Erin Barrett, JD, Assistant Attorney General  
Joy Langford, Administrative Assistant

**OTHERS PRESENT:**

W. Scott Johnson, JD, HDJN  
Sara Heisler, VHHA  
Tim Bunton, MD, VATAC  
Sergey Zhitar, MD, VATAC  
Kate Neuhausen, MD, DMAS  
Zia Uddin, MD, VATAC  
Tom Reach, MD, Watauga Recovery Center  
Lauren Bates-Rowe, MSV  
Peter Breslin, MD

**EMERGENCY EGRESS INSTRUCTIONS**

Dr. O'Connor provided the emergency egress instructions.

## **ADOPTION OF AGENDA**

Dr. Reynolds made a motion to accept the agenda as presented.

The motion was seconded and carried unanimously.

## **APPROVAL OF MINUTES OF SEPTEMBER 16, 2016**

Dr. Ali moved to approve the meeting minutes of September 16, 2016 after an edit to include "Virginia" in the title of "Scott Johnson, General Counsel to the Medical Society of." The motion was seconded and carried unanimously.

## **PUBLIC COMMENT**

### Tim Bunton, MD, Virginia Addiction Treatment Access Coalition (VATAC)

Dr Bunton noted that VATAC supports screening for communicable diseases. However, medical practices will benefit from guidelines rather than mandates to screen. VATAC believes the guidelines will reduce the impact of opioid addiction.

### Sergey Zhitar, MD, VATAC,

Dr. Zhitar noted that he was pleased the recommendations from the Board are based on scientific evidence. He pointed out that there may be circumstances other than pregnancy in which Subutex might be indicated.

### Dr. Tom Reach, MD Watauga Recovery Center

Dr. Reach stated that addiction medicine is a new field. Ideally, addiction treatment should be undertaken by those with a specialty in addiction medicine. Dr. Reach believes the most important goal is to be able to increase the access of care for those who need it.

### Kate Neuhausen, MD – Chief Medical Officer, Virginia Department of Medical Assistance Services (DMAS)

Dr. Neuhausen said that Subutex (buprenorphine mono-product) is now a drug of abuse in Southwest Virginia because the cost is significantly less than Suboxone (buprenorphine + naloxone) and is more abusable. She pointed out that the Butrans (buprenorphine mono-product) patch is effective and is covered by DMAS as an alternative to the Fentanyl patch and Oxycontin. She added that DMAS would like to see language in the regulations that includes the appropriate use of buprenorphine mono-product patches.

### Lauren Bates-Rowe, Medical Society of Virginia (MSV)

Ms. Bates-Rowe noted that the Center for Disease Control guidelines do not apply to post-surgical pain. In the future, MSV would like to work with the Board to encourage clinically appropriate use of opioids. She asked that the Board clarify if the dosages in the regulations were absolute. Finally, MSV would like to partner with the Board of Medicine in disseminating any information that would be helpful to its physicians in the use of opioids.

Peter Breslin, MD – VATAC

Dr. Breslin pointed out that buprenorphine mono-product might be indicated in circumstances other than pregnancy. Infectious disease testing prior to treatment should be encouraged.

**DHP DIRECTOR'S REPORT**

Dr. Brown provided a brief report. He noted that the current bills affecting the Department of Health Professions (DHP) in the General Assembly reflect the agenda of DHP and the Board of Medicine.

**EXECUTIVE DIRECTOR'S REPORT**

Dr. Harp noted that from now on the Board of Medicine will post the agenda packet in advance of its business meetings.

Dr. Harp reviewed correspondence from MSV in support of the Board's regulatory effort to streamline the licensure process for physicians and other health care professionals.

Dr. Harp also reviewed correspondence to Dr. Brown from legislators that noted a shortage of anesthesia providers in Virginia and asked for a feasibility study to determine if certified anesthesia assistants should be regulated by the Board of Medicine. Dr. Brown responded that the feasibility study will be undertaken by the Board of Health Professions, and a report will be submitted to Sen. Newman and Del. Orrock by November 2017.

**NEW BUSINESS**

1. Chart of Board of Medicine Regulatory Actions

Elaine Yeatts provided a brief overview of this item. No action was required.

2. Legislative Review of the 2017 Session of the General Assembly

Elaine Yeatts provided an overview of the current bills that would have impact on the Board of Medicine. No action was required.

3. Review and Revision of Draft Guidance Document on the Use of Buprenorphine for Addiction.

Dr. O'Connor suggested that this item be tabled; the Committee was in agreement. The guidance document will be revisited after the Legislature has finished its work this Session, and the regulations are in final form.

4. Review and Revision of Draft Regulations for Pain Management and Buprenorphine.

Ms. Yeatts reviewed the draft regulations with the Legislative Committee Members who requested several revisions. Upon completion of the review, Dr. Allison-Bryan moved to accept the draft regulations with revisions and recommend them to the full Board at its February meeting. The motion was seconded and carried.

5. Reminder: Dr. Harp reminded the Committee members to complete their travel expense reimbursement vouchers.

## **ANNOUNCEMENTS**

There were no additional announcements.

Next meeting – May 19, 2017

Adjournment - With no other business to conduct, the meeting adjourned at 12:30 p.m.

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Kevin O'Connor, MD  
Vice-President, Chair

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William L. Harp, MD  
Executive Director

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Alan Heaberlin, Deputy Director, Licensing  
Recording Secretary