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VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS
VIRGINIA PRESCRIPTION MONITORING PROGRAM
MINUTES OF ADVISORY COMMITTEE

Monday, December 9, 2024

9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

CALL TO ORDER:	A meeting of the Advisory Committee of the Prescription Monitoring Program (PMP) was called to order at 10:01 a.m.
PRESIDING	Jeffrey Gofton, Chair
MEMBERS PRESENT:	Lori Beck, Virginia Department of Health (VDH) Jill Costen, Office of the Attorney General, Medicaid Fraud Control Unit Sarah Ebbers-West, Walter Reed National Military Medical Center Jeffrey Gofton, Chair, Virginia Department of Health (VDH), Office of the Chief Medical Examiner Tana Kaefer, Bremo Pharmacy Virginia LeBaron, University of Virginia School of Nursing Radhika Manhapra, Hampton VA Medical Center MaryAnn McNeil, Department of Medical Assistance Services (DMAS) Michele Thomas, Department of Behavioral Health and Developmental Services (DBHDS) John Welch, Virginia State Police, Drug Diversion
MEMBERS ABSENT:	Rodney Stiltner, Vice Chair, VCU Health
STAFF PRESENT:	Arne Owens, Director, DHP James Jenkins, Chief Deputy Director, DHP Ashley Carter, Director, PMP Nicole Barron, Deputy Director, PMP Carolyn McKann, Operations Deputy, PMP Erin Barrett, Director of Legislative and Regulatory Affairs, DHP Jim Rutkowski, Counsel, Office of the Attorney General
WELCOME AND INTRODUCTIONS	Ashley Carter welcomed everyone to the meeting of the Advisory Committee and all attendees introduced themselves.
APPROVAL OF AGENDA	John Welch made a motion to approve the agenda and MaryAnn McNeil seconded the motion; the agenda was approved as presented.
APPROVAL OF MINUTES	John Welch made a motion to approve the minutes for the meeting held September 14, 2023. MaryAnn McNeil seconded the motion; the minutes were approved as presented.
PUBLIC COMMENT	No public comments.

DEPARTMENT OF HEALTH PROFESSIONS REPORT: Arne Owens	Arne Owens welcomed everyone to the meeting and thanked the committee members for their participation. Mr. Owens discussed PMP funding and sustainability. Mr. Owens noted that there is currently a lot of activity in the behavioral health arena, including the Right Help, Right Now initiative, which has resulted in some new licensed behavioral health roles that fall under the Department of Health Professions' umbrella.
LEGISLATION AND REGULATION UPDATE: Erin Barrett	Erin Barrett provided an overview of several bills from the 2024 General Assembly session which impacted DHP and PMP along with a couple of filed bills for the 2025 session starting in January. Ms. Barrett noted that there is a Notice of Intended Regulatory Action (NOIRA) pending for PMP resulting from the periodic regulatory review initiated in October 2023.
PERIODIC REVIEW OF PMP REGULATIONS AND DISCUSSION OF POTENTIAL REGULATORY CHANGE: Ashley Carter	Ms. Carter discussed the required periodic regulatory review of PMP regulations and the resulting NOIRA. The NOIRA amends PMP regulations to reflect current practice, changes in federal and state laws/regulations, and eliminates certain requirements. However, one proposal under consideration is substantive to begin requiring dispensers to report date sold to the PMP in addition to date written and date filled. Ms. Carter reviewed current code and regulations specific to PMP required reporting elements and excerpts of the Drug Control Act. Additionally, she presented several scenarios depicting PMP reporting and the resultant challenges. The inconsistency in reporting causes a lack of clarity in the data and ultimately negatively impacts clinical care. The proposal to add "date sold" as a required data element in regulation would remove the ambiguity currently challenging clinical users. Ms. Carter presented an analysis on the completeness of date sold in the PMP data indicating that 68% of dispensers are currently reporting date sold voluntarily. Among non-chain dispensers, 74% are voluntary reporting date sold. Dr. Kaefer said that her pharmacy reports date sold, and most community pharmacies should not have any difficulty in reporting this field to the PMP. Dr. Ebbers-West noted that the requirement to report the date sold would be of great advantage to her practice. Dr. Manhapra echoed Dr. Ebbers-West's endorsement of the regulatory change. Dr. Thomas offered that DBHDS does not sell prescriptions and questioned how such a requirement to report date sold would apply to their PMP reporting and could they be exempted from such a requirement. Ms. Carter responded that "date sold," per the PMP reporting standard, and date delivered to the ultimate user, per the Drug Control Act, are synonymous. Ms. Carter further noted that from the technical data reporting perspective, adding a required field would apply to all dispensers and an exception for certain dispensers could not be accommodated given technical requirements. Dr. Kaefer asked if the date sold is anticipated to replace the fill date. She further inquired as to the purpose of the "fill date" field. Ms. Carter noted that the fill date would not be replaced; it is necessary for interstate data sharing. Dr. LeBaron further noted that it may be valuable information to review the difference in time between the fill date and the date sold in terms of reviewing efficiency, etc. Beyond connecting with other state agencies, Ms. Carter asked the committee whether they are aware of any other entities that we may need to consult

	regarding this suggested regulatory change. She added that she has previously corresponded with Virginia Pharmacists Association about the lack of clarity this has caused, and they are aware of the issue. No committee member offered additional suggestions. Ms. Costen and 1SG Welch concurred it would be very helpful to have a date sold field. Upon a ***MOTION*** by Dr. Kaefer, properly seconded by Dr. Ebbers-West, the committee voted to pursue a regulatory change to require date sold to be submitted to the PMP. The motion passed unanimously (10-0).
PROGRAM OPERATIONS REPORT: Carolyn McKann	Ms. McKann provided an operations update. She reviewed the biennial renewal process as required by regulation, the monthly outreach to new licensees to encourage establishment of a new PMP AWARxE account at licensure, and clinical workflow integration efforts within the electronic health record (EHR).
PROGRAM ANALYTICS REPORT: Nicole Barron	Ms. Barron reviewed key PMP analytics including a review of dispensation reporting compliance, along with naloxone and medical cannabis dispensations. She also shared the top prescriptions reported to the PMP.
PROGRAM DIRECTOR REPORT: Ashley Carter	Ms. Carter welcomed new members of the PMP Advisory Committee and introduced PMP staff hired since the last meeting. Ms. Carter reviewed legislation impacting PMP from the 2024 General Assembly, including SB74 allowing access for drug court/behavioral health docket administrators as a new PMP role. Additionally, Ms. Carter noted approval of several waivers from PMP reporting for emergency departments dispensing a "starter pack" of two opioid pills during hours when pharmacy services are not available. These waivers were approved under the regulatory exemption allowing for dispensing a covered substance during a bona fide emergency. She also discussed PMP funding sources and status of the PMP Trust Account. Ms. Carter updated the committee that Dr. Eduardo Fraifeld resigned his seat and would be seeking to fill his position representing "A doctor of medicine or osteopathy with a specialty in pain management, treating in an outpatient setting." Ms. Carter also asked for volunteers for Chair and Vice Chair of the committee and thanked Dr. Gofton and Dr. Stiltner for their service. Prior to adjournment, several additional questions arose for further discussion. Ms. Carter noted that we could begin to display date sold for prescriptions reporting the field in the PMP report prior to the finalizing the regulatory change. Where the dispenser did not report the date sold, it would be blank. Dr. Ebbers-West agreed that it may initially create some confusion but emphasized that more information is always better and noted that it is paramount that practitioners know when the patient has the medication in hand. Other committee members concurred, and Ms. Carter indicated PMP staff would reach out to dispensers not reporting the data to inform them of the upcoming change.
NEXT MEETING DATE:	To be determined

ADJOURN:	With all business concluded, the meeting was adjourned at 11:16 a.m.
	Jeffrey Gofton, M.D., Presiding
	Ashley Carter, Director