



Arkansas State Medical Board
1401 West Capitol Avenue, Suite 340
Little Rock, AR 72201-2936

Issue Number Sixty-Five

Winter 2016

NEWSLETTER

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Executive Secretary
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 Suite 340
 Little Rock, AR 72201-2936
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Prescription Drug Abuse in Arkansas and the Prescription Monitoring Program

By Gene Shelby, M.D., Chairman, Arkansas PMP Advisory Committee

It is firmly established that we have a prescription drug crisis in this country. Nationally, more people die each year from accidental drug overdoses, primarily prescription drugs, than from vehicular crashes. And 98% of the world's supply of hydrocodone is consumed in the United States.

And, while this is a societal problem, with many root causes, we as physicians are seen as part of the problem. While it can be debated, to what degree we are responsible for where we are at, it is incumbent on us to take a leadership role in addressing the problem.

The Arkansas Prescription Monitoring Program (PMP) was established by the Arkansas General Assembly in 2011 and went live in May 2013. Since then we have had about 2,250 M.D.'s and D.O.'s register to use the PMP, which represents about 35% of those who write controlled medications. In 2012, the national average of physician registration was about 25%, but is now nearing 50% due to more states requiring registration, as well as outreach programs, demonstrating how using a PMP can be an excellent tool in providing good, responsible care to patients who require controlled medications. The use of the PMP is becoming the standard of care when prescribing narcotics, especially when treating chronic pain.

The Arkansas State Medical Board is increasingly using the PMP as part of their investigations of complaints against physicians. They are also actively looking at ways to increase the registration and use of the PMP. They are looking at tying the registration for the PMP with the license renewal process, for physicians who write controlled medications.

The Arkansas Medical Society (AMS) worked with Senator Missy Irvin and Representative Dr. Steve Magie to pass Senate Bill 717 in the 2015 Legislative Session. This important piece of legislation contains important provisions to enhance the effectiveness of the PMP, such as allowing the prescriber to delegate to another

person to access the PMP for them. This will enable a nurse to print out a patient's PMP record, before the doctor sees the patient. It also allows the Health Department to review information in the PMP that might indicate misuse of controlled medications and pass that information to the appropriate licensing Board.

Another important part of this bill defines chronic non-malignant pain as a condition that requires more than three months of prescriptions for the equivalent of 90 tablets containing 5 mg. of hydrocodone. It goes on to define the necessary measures to treat chronic non-malignant pain, including checking the PMP, random drug checks, and a pain contract.

Other provisions of the AMS bill requires a two hour prescribing course for all new licensees within two years of licensure.

Another bill that passed this session allows much greater access to the PMP by law enforcement, who are investigating either over-prescribing or diversion.

As you can see, the people and physicians of Arkansas are taking this epidemic seriously. But if Arkansas physicians don't get onboard with this, we are looking at mandates, like those imposed in other states, where the legislature gets too involved in the practice of medicine to the detriment of physicians and our patients. ♦

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NBCOT® Launches a Groundbreaking Competency Assessment Platform

The National Board for Certification in Occupational Therapy, Inc. (NBCOT®) has created a dynamic, interactive virtual platform for its certificants to engage in continuing competency assessment. In response to reports issued by the Institute of Medicine (IOM), NBCOT began this groundbreaking journey by completing a practice analysis study in 2012 which identified six key areas for focus: providing client-centered care, working in interprofessional teams, employing evidence-based practice, applying quality improvement, utilizing informatics, and promoting professional responsibility. The findings supported the creation of a competency assessment platform, the goals of which were to create an innovative and dynamic delivery platform designed to: offer accessible, engaging and dynamic assessment tools, support certificant's practice throughout their professional career, provide feedback on current practice skills, and introduce certificants to evidence-based resources. The system went live in June 2015, and includes a web-based assessment delivery engine, certificant dashboard, and interfaces that support a variety of tools including self-reflective assessments, multiple-choice practice knowledge assessments, animated case simulations, and mini games.

The tools are available, at no charge, to individuals currently certified as an Occupational Therapist Registered OTR(r) or Certified Occupational Therapy Assistant COTA(r) and can be accessed through the MyNBCOT portal. Competency Assessment Units (CAU) will be awarded for successful completion of tools. Please click on the following link for additional information: <http://www.nbcot.org/navigator> ♦

ATTENTION!!!

Physician Delegation for Prescription Monitoring Program Review

The Arkansas Prescription Monitoring Program is starting its fourth year with over 6,000 users. Delegate access is now available. All practitioners and pharmacists are encouraged to use this valuable healthcare tool to monitor the controlled substance history of patients. Delegate access allows you to assign AR PMP data look-up to designated staff in order to save time and improve workflow. To register, go to <http://www.arkansaspmp.com>.

All registered users may direct delegates to the "Delegate" tab on the left side of the homepage to begin registration. Be sure to check Page 34 of the Practitioner/Pharmacist Training Guide on the website for information on linking your delegates.

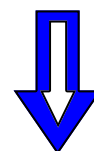
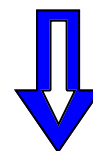
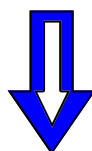
For questions, contact Denise Robertson at Denise.Robertson@arkansas.gov or at 501-683-3960. ♦

Occupational Therapy Rules and Regulations

By Cathy Acre Ed.D., OTR/L, FAOTA
Chair, Occupational Therapy Examining Committee

Amendments to the rules and regulations that govern occupational therapy practice were approved by the Arkansas State Medical Board during the February 2015 meeting and went into effect August 17, 2015. Last amended in 2002, the changes include updated language to reflect current terminology, current documents used in the profession, and expansion of acceptable continuing education that is more aligned with National Board of Certified Occupational Therapy requirements for recertification.

A change to Regulation 6 was also approved that requires the occupational therapy assistant to maintain a record of supervision. This change was made in response to increased complaints of inadequate supervision from occupational therapy assistants and questions regarding supervisory requirements reported to the Occupational Therapy Examining Committee. As written, frequent and regular supervision of the occupational therapy assistant is the legal and ethical responsibility of the occupational therapist. The rules and regulations regarding how frequent and regular supervision is defined in 6.2 (A) (B) and (C) did not change. The committee recognizes that the supervisory relationship is a collaborative effort between the occupational therapist and occupational therapy assistant, and because practice settings vary, the process or method of documenting supervision is not prescriptive. An example of a supervision log has been developed as a guide to document supervision and is available on the Board's website. Regulation 6 is also available on the Board's website for review or downloading. ♦



Online Attestations

Reminder! When completing online Attestations, all "YES" answers require an explanation. Please be sure to include this explanation for each "Yes" answer on the attestation. If you have any difficulty with entering the statement or completing the attestation, please email support@armedicalboard.org or send it separately via fax (501-603-3555).

The Insurance question requires completion of the blanks providing information on your policy and coverage. If you have more than one insurance, fax or email (as .PDF attachment to support@armedicalboard.org) certificate copies so all can be entered in your ASMB/CCVS file. If you answered "Yes" to the Malpractice Claim question, you must forward the completed ASMB Malpractice Reporting form with your explanation.

If you have previously reported something on your attestation, you do not need to report it again. ♦

Arkansas State Medical Board

2015 Year End Report

The 2015 Members and Officers of the Arkansas State Medical Board are as follows:

Joseph M. Beck, II, M.D., Chairman; Steven L. Cathey, M.D., Vice Chairman; Bob E. Cogburn, M.D., Secretary; Scott Pace, Pharm.D., J.D., Treasurer; Omar T. Atiq, M.D.; Robert E. Breving, Jr., M.D.; Jim C. Citty, M.D.; William F. Dudding, M.D.; Rodney L. Griffin, M.D.; Veryl D. Hodges, D.O.; Larry D. "Buddy" Lovell; William L. Rutledge, M.D.; John H. Scribner, M.D.; and John B. Weiss, M.D.

2015 Statistics

2015 Licensing Statistics

Medical Doctors & Doctors of Osteopathy Licensed	577
Medical Doctors & Doctors of Osteopathy (total)	9,683
Medical Doctors & Doctors of Osteopathy (in state)	6,488
Occupational Therapists Licensed	87
Occupational Therapists (total)	1,416
Occupational Therapy Assistants Licensed	109
Occupational Therapy Assistants (total)	560
Physician Assistants Licensed	56
Physician Assistants (total)	340
Respiratory Care Therapists Licensed	121
Respiratory Care Therapists (total)	1,997
Radiologist Assistants Licensed	0
Radiologist Assistants (total)	5
Radiology Practitioner Assistants (total)	4
Withdrawn Applications	13

Summary of Board Proceedings for 2015

Individual Discussions and Issues (total)	520
Complaints (including investigations and other issues involving licensed practitioners)	384
Issues	136

2015 Board Actions

Suspension	16
Revocation	1
Revocation (stayed)	2
Surrendered	2
Reprimand	2
Consent Orders	13

Complaint Allegations (including investigations)

APN Collaborating Physician Issues	1
Attestation/Renewal Affirmative Answers	19
Advertising	1
Monitoring Issues	10
Behavior/Attitude	24
Billing/Insurance Issues	15
Board Actions Taken by Other States	15
Criminal Allegations	10
CME/CEU Issues	3
Discrimination/Harassment	1
Dissatisfaction with Treatment/Procedure	57
HIPAA Issues	2
Hospital Reporting	11
Inmate Allegations	8
Inappropriate Prescribing	9
Lack of Attention to Medical Needs	44
Malpractice Regulation 23	28
Medical Records – Failure to Provide	15
Medical Records –Discrepancy	4
Misdiagnosis	5
Miscellaneous	31
Over-Prescribing/Over-Testing	29
Patient felt Offended/Violated by Physician	1
Doctor Refuses to Prescribe/Refill Pain Meds	2
Didn't/Won't Comply with Patient's Request to Complete Paperwork	4
Self-Prescribing or Prescribing to Family	3
Sexual or Romantic Relationship	3
Terminated Patient	12
Licensure Issue	10
Update	7

Regulatory Changes for the Year 2015

- Amendment to Regulation 2, Section 6 – Treatment of Non-Malignant Pain
- Amendment to Regulation 2, Section 8 – Minimum Standards for Establishing a Physician/Patient Relationship

The Board amended Regulation 2 at its meeting on October 1, 2015, effective December 14, 2015.

An amendment was made to Section 2.6 to clarify the terms and prescriber requirements in regard to the treatment of chronic benign pain.

An amendment was made to Section 2.8 to further define the physician/patient relationship.

Arkansas State Medical Board

2015 Year End Report

Regulatory Changes for the Year 2015

(continued from page 3)

- Amendment to Regulation 6 – Regulations Governing the Licensing and Practice of Occupational Therapists

The Board amended Regulation 6, which pertains to the governing of occupational therapists and occupational therapy assistants at its meeting on February 5, 2015, effective August 17, 2015.

The change included updated language to reflect current terminology, current documents used in the profession, and expansion of acceptable continuing education that is more aligned with National Board of Certified Occupational Therapy requirements for recertification, as well as a requirement of the occupational therapy assistant to maintain a record of supervision.

- Amendment to Regulation 10 – Regulations Governing the Licensing and Practice of Respiratory Care Practitioners

The Board amended Regulation 10, which pertains to governing the licensing and practice of respiratory care practitioners, at its meeting on August 6, 2015, effective December 14, 2015.

The change involved clarification of continuing education requirements.

- Amendment to Regulation 19 – Pain Management Programs

The Board amended Regulation 19, which pertains to pain management programs, at its meeting on October 1, 2015, effective December 14, 2015.

The change involved clarification of terms and prescriber requirements.

- Amendment to Regulation 21 – Anorexiant Drug Guidelines

The Board amended Regulation 21, which pertains to anorexiant drug guidelines, at its meeting on August 6, 2015 effective December 14, 2015.

The change involved clarification of prescriber requirements.

- Amendment to Regulation 24 – Rules Governing Physician Assistants

The Board amended Regulation 24, which pertains to rules governing physician assistants, at its meeting on October 1, 2015, effective December 14, 2015.

Changes include removal of the Jurisprudence exam for licensure; a copy of the approved protocol must be kept at the PA's practice location; PA's may prescribe HCP's reclassified by the DEA from Sch. 3 to Sch. 2 as of October 6, 2014, if authorized by the PA's supervising physician and shall register said authorization with the DEA; a PA who is authorized to prescribe Sch 2 HCP's must complete at least five (5) CME hours in the area of pain management; and PA's shall adhere to Regulation 16 of the Arkansas Medical Practices Act.

To review these regulations in their entirety, go to our website, www.armedicalboard.org. Click on Forms and Publications, then click on the Medical Practices Act. ♦

Official Board Appointments

Governor Asa Hutchison recently appointed five new members to the Arkansas State Medical Board. We welcome these new members:

WILLIAM LYMAN RUTLEDGE, M.D. practices general surgery in Little Rock. His term expires December 31, 2020. Dr. Rutledge replaces Harold B. Betton, M.D.

RODNEY LEWIS GRIFFIN, M.D. practices family medicine in Magnolia. His term expires December 31, 2020. Dr. Griffin replaces Sylvia D. Simon, M.D.

ROBERT E. BREVING, JR., M.D. is a general surgeon in Hot Springs. He is certified by the American Board of Surgery. His term expires December 31, 2020. Dr. Breving also serves on the Physician Assistant Advisory Committee. Dr. Breving replaces John E. Hearnberger, II, M.D.

DAVID LARRY STAGGS, M.D. practices family medicine at Unity Health-Family Practice Associates in Searcy. His term expires December 31, 2021. Dr. Staggs replaces Jim C. Citty, M.D.

MRS. MARIE HOLDER was appointed as the Consumer Representative on the Board. She is a graduate of the University of Mississippi with a B.A. in English and Broadcast Journalism. Mrs. Holder worked as Deputy Press Secretary to Senator Trent Lott of her home state, Mississippi. She served as Executive Director of the Republican Party of Arkansas. Mrs. Holder currently works as a political consultant. She has lived in Little Rock for over 14 years with her husband Ryan and their two daughters. Her term expires December 31, 2021. She replaces Scott Pace, Pharm.D, J.D. ♦

Board Actions & License Adjustments

5/2/2015 through 1/21/2016

AHMAD, Mahmood, M.D. E-1687 Sherwood, AR Returned to Active, 7/7/15	KRANNICHFELD, Jon Michael, M.D. C-4949 Rogers, AR Surrendered, 8/7/15
BALL, Charles William, M.D. C-5265 Hazen, AR Revoked/Stayed, 7/24/15	MARTIN, Robert Harrell, M.D. C-8369 Monticello, AR Emergency Order of Suspension, 6/19/15 Consent Order, 10/13/15
BARROW, Robert Lamonte, M.D. C-7455 Little Rock, AR Emergency Order of Suspension, 12/22/15	MCDONALD, Candace Ray, LRCP RCP-1973 Magnolia, AR Emergency Order of Suspension, 1/5/16
BROOKS, Shawn Michael, M.D. E-6753 Sandy, UT Emergency Order of Suspension, 6/15/15	MILAM, Craig, M.D. C-4889 Holiday Island, AR Surrendered, 7/9/15
BURROW, Dennis Ray, M.D. C-5378 Little Rock, AR Emergency Order of Suspension, 8/28/15 Consent Order, 10/7/15	MURPHY, Fred Yocum, M.D. C-6451 Magnolia, AR Returned to Active, 12/2/15
CARLSON, Douglas Eugene, D.O. E-4230 Alma, AR Returned to Active, 12/4/15	MYERS, Ronald Vincent, M.D. R-4399 Belzoni, MS Consent Order, 6/9/15
CUNNINGHAM, Laurence William, D.O. E-7740 Jacksonville, TX Consent Order, 12/30/15	NEWCITY, Marshall James, M.D. E-3122 Fort Smith, AR Consent Order, 8/28/15
DENTON, Norman Clifford, M.D. E-6764 Marion, AR Consent Order, 6/12/15 Returned to Active, 10/2/15	PATTERSON, Joseph M., M.D. E-0764 Memphis, TN Consent Order, 11/13/15
EPPERSON, Andrea E., LRCP RCP-0679 Conway, AR Revoked, 8/21/15	PUEN, Roy LaMadrid, M.D. E-0602 Hot Springs, AR Surrendered, 6/5/15
FRANKS, James Francis, M.D. E-1393 Forrest City, AR Consent Order, 9/18/15 Returned to Active, 12/4/15	REIFEISS, Jerry Scott, M.D. C-7140 Little Rock, AR Emergency Order of Suspension, 6/16/15
FRIGON, Gary Franklin, M.D. C-6603 Bella Vista, AR Emergency Order of Suspension, 7/10/15	REMMEL, Raymond Roland, M.D. R-4216 Little Rock, AR Consent Order, 12/07/15
FURR, David Wayne, D.O. E-3777 Hot Springs, AR Consent Order, 9/25/15	SMITH, Leslie Gene, M.D. C-7972 Little Rock, AR Consent Order, 7/10/15
HENRY, Guy Michael, M.D. R-3877 Benton, AR Consent Order 9/4/15	TORRES, Maurice A., OTA OT-A352 Bella Vista, AR Emergency Order of Suspension, 5/6/15
JOHNS, Richard D., M.D. E-1846 Little Rock, AR Emergency Order of Suspension, 6/2/15	WARD, Leslie Diane, M.D. E-6296 Danville, AR Emergency Order of Suspension, 10/13/15

Board Actions & License Adjustments 5/2/2015 through 1/21/2016

WARREN, William Sidney, M.D. C-6145
Little Rock, AR
Consent Order, 1/8/16

WILLIAMS, Victor Bernard, M.D. E-2372
Little Rock, AR
Consent Order, 10/30/15

WOOLDRIDGE, Michael C., OTA OT-A792
Jonesboro, AR
Emergency Order of Suspension, 8/27/15
Returned to Active, 10/2/15

WYATT, Felicie G., M.D. E-6669
Jackson, MS
Emergency Order of Suspension, 6/22/15
Consent Order, 8/21/15



ATTENTION – Physician Assistants

Act 529 of 2015 gives Physician Assistant's and Advanced Practice Registered Nurses the authority to write Schedule II prescriptions for those hydrocodone combination products reclassified from Schedule III to Schedule II in October 2014. Regulation 24 of the Arkansas State Medical Practices Act further requires that each PA who seeks this prescribing privilege must complete 5 hours of CME in the area of pain management.

If you have already been approved by the Board for writing Schedule II HCP's, in order to be in compliance with Regulation 24, you must provide the Board with documentation of completion of the appropriate CME. Prompt compliance is important.

If you have NOT submitted your initial request for Schedule II HCP prescriptive authority and your supervising physician wishes for you to have this privilege, include the required CME documentation with your request. It will be processed, recorded in your file, and returned to you for forwarding to the DEA.

Prompt compliance is important.

A list of PA's who have been approved for Schedule II HCP prescribing but have not submitted their pain management CME as of 7/15/16 will be provided to the Board for their review at the August 2016 meeting.

Mail, fax, or e-mail the documentation to the Board office. Specify in your correspondence that the CME documentation is in regard to your HCP prescribing authority. Mail to Arkansas State Medical Board, 1401 West Capitol, Suite 340, Little Rock, AR 72201; fax to 501-296-1805; or email to support@armedicalboard.org (must be in pdf format).

In the future when changing Supervising Physician's, your protocol must include specific indications as to whether or not you will be authorized to write Schedule II HCP's and your CME must be on file in the Board office. The authorization to write Schedule II HCP's is supervising physician specific, so that each time you change/add Supervising Physicians, you are requested to include a new authorization request under that physician. ◆

Scheduled Board Meeting Dates for the Arkansas State Medical Board

February 4-5, 2016
April 7-8, 2016
June 9-10, 2016
August 4-5, 2016
October 6-7, 2016
December 1-2, 2016

The agenda for each meeting will be posted online 1 week prior to each meeting on Wednesday by 4:00 pm.

The Board will hold "called" meetings when necessary.

Meetings will be held in the Board Room at
1401 West Capitol Avenue, Suite 340
Little Rock, Arkansas

Scheduled Allied Healthcare Meetings

Respiratory Care Examining Committee

March 4, 2016 at 1:00 PM
May 6, 2016 at 1:00 PM
September 2, 2016 at 1:00 PM
November 4, 2016 at 1:00 PM

Physician Assistant Advisory Committee

February 3, 2016 at 2:00 PM
April 6, 2016 at 2:00 PM
June 8, 2016 at 2:00 PM
August 3, 2016 at 2:00 PM
October 5, 2016 at 2:00 PM
November 30, 2016 at 2:00 PM

Occupational Therapy Examining Committee

March 14, 2016 at 1:00 PM
May 23, 2016 at 1:00 PM
September 19, 2016 at 1:00 PM
November 14, 2016 at 1:00 PM

Dates and times of meetings are subject to change.

Other Scheduled Meetings

Pain Management Review Committee

May 12, 2016
September 15, 2016
December 15, 2016

Public Hearing

February 4, 2016

Dates and times of meetings are subject to change.

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ATTENTION!

Change of Address Form is now available on the ASMB Web Site:

<http://www.armedicalboard.org/forms.aspx>

Please FAX: (501) 603-3555

E-Mail: support@armedicalboard.org in .pdf only

or Mail to:

**Arkansas State Medical Board
1401 West Capitol Avenue, Suite 340
Little Rock, AR 72201-2936**

Change of Address may be completed online with a licensee account.