



STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH SERVICES
PRESCRIPTION DRUG MONITORING PROGRAM

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PRESCRIPTION DRUG MONITORING PROGRAM ADVISORY COUNCIL
PUBLIC MINUTES OF THE DECEMBER 13, 2021 MEETING

The December 13, 2021, meeting of the PDMP Advisory Council (the "AC" or "Council") convened at 3:03 p.m. at the Department of Health and Human Services, 29 Hazen Drive, Concord, New Hampshire as well as via ZOOM with the following members present and eligible to vote:

Council Members in Attendance:

Chairman David Strang, MD, NH Medical Society
Tonya Carlton, RPH, Wentworth Douglas Hospital
Sarah Garland, DVM, NH Veterinary Medical Association
Robert Giuda, NH Senate
Joseph Guthrie, NH House of Representatives
Joseph Harding, NH Department of Health and Human Services
Gene Harkless, APRN, NH Board of Nursing (via Zoom)
Nicole Harrington, RPH, Commissioner, NH Board of Pharmacy
Bradley Osgood, NH Police Chiefs' Association
Michael Viggiano, RPH, NH State Pharmacy Associations
Thomas Worboys, NH Attorney General's Office

Council Members Absent:

Stephen Crawford, DVM, NH Dept. of Veterinary Medicine
Jay Patel, DDS, NH Board of Dental Examiners
Annika Stanley-Smith, Governor's Commission on Alcohol & Other Drugs
VACANT, NH APRN Society
VACANT, NH Dental Society
VACANT, Governor's Commission on Alcohol & Other Drugs (public)
VACANT, NH Board of Medicine
VACANT, NH House of Representatives

Staff in Attendance:

Michael Holt, DPHS Administrator
Joanie Foss, Administrative Assistant, NH PDMP
Mark Cioffi, Program Analyst, NH PDMP
Leslie Pond, Auditor, NH PDMP

I. Welcome – Introductions

II. Review of January 25, 2021, June 21, 2021, and October 18, 2021 Meeting Minutes

- R. Giuda made a motion to accept the January 25, 2021 meeting minutes. S. Garland seconded. The Council voted unanimously to approve these minutes.
- J. Harding made a motion to accept the June 21, 2021 meeting minutes. J. Guthrie seconded. The Council voted unanimously to approve these minutes.
- S. Garland made a motion to accept the October 18, 2021 meeting minutes. G. Harkless seconded. The Council voted unanimously to approve these minutes. N. Harrington abstained stating that she did not attend this meeting.

III. Update on Vacant Seats (David Strang, Chair)

- NH Board of Medicine vacancy: D. Strang is working with the NH Board of Medicine to get an appointee, he will be attending the January 5th NH BOM meeting and will discuss the issue.
- NH House of Representatives vacancy: J. Guthrie stated he thought the Speaker of the House had made an appointment, he will follow up.
- NH Dental Society vacancy: D. Strang stated he has not received a response from the Dental Society. He stated that this seat has been empty for the better part of two years and if there continues to be no interest he asked the Council their thoughts on going back to the legislature and asking them to remove the seat. After much discussion it was decided not to remove the seat from the Council. D. Strang will see if he can get an invite to the next Dental Society Board of Trustees meeting on December 16, 2021 to discuss the issue.

IV. Statement of Duties and Responsibilities of AC Members (David Strang and Joe Harding)

- D. Strang reviewed that at the October 18, 2021 meeting, he and J. Harding had volunteered to construct a document outlining the responsibilities of being a Council member. He has written an introductory paragraph to which J. Harding has added the original statutory language of what the Council is charged with doing. The members reviewed this document and it was the consensus to expand this task to include a history of the PDMP and emphasize the importance of what each seat holder and their representative brings to the Program. It was agreed to form a sub-committee for this purpose and M. Viggiano (an original member) and S. Garland (one of the newest members) volunteered to assist in this development. J. Harding stated the statement should go out with the Advisory Council welcome packet, along with a link to agendas and past meeting minutes.

V. E-Prescribing (HB143) Discussion

- D. Strang stated he had been contacted by Rep. Gary Merchant (sponsor of this bill and former President of the Board of Pharmacy) about whether the PDMP had put out any notification of the mandatory e-prescribing of controlled substances that will go into effect on Jan. 1. He stated he had also discussed this with M. Holt at DHHS and they were in agreement that this was really not the responsibility of the PDMP. D. Strang asked if it would be feasible to send out a notice to prescribers via a PDMP announcement or banner through the PDMP system about this deadline.
- M. Holt stated his belief that the PDMP has a limited role in e-prescribing and that the vast majority of the regulatory/enforcement work is up to the licensing boards. The PDMP will be

doing their part by changing the dispensation from a situational field to a required field and will notify the dispensers of this change.

- M. Holt also stated that in this new law there are seven exceptions plus a waiver that is good for up to one year, that exempts a prescriber from mandatory e-prescribing.
- At this time the PDMP does not know what kind of messaging the regulatory boards have/or are providing directly to licensees and we do not know if or how they plan to enforce the new law.
- N. Harrington said that the development of the NH BOP rules pertaining to e-prescribing will be discussed at the upcoming NH BOP meeting.
- The consensus was to add a notice to the PDMP log-in page reminding the State's prescribers of this requirement, but as there was no language in the bill that established this measure (HB143) explaining who was responsible for enforcement, D. Strang was asked to extend an invitation to Rep. Merchant to come to the March meeting and discuss his ideas on who was responsible for enforcement (e.g. State licensing boards, the Board of Pharmacy, PDMP, etc.)
- D. Strang requested that this issue be put under old business on the next meeting agenda.

VI. DHHS Update (Michael Holt, DHHS Administrator)

- Deferred due to the length of time needed for presentation of the Annual Report.

VII. Annual Report (PDMP Staff)

- M. Cioffi presented the 2021 Annual Report and several suggestions were made by the AC members to improve the first 5 slides. After much discussion, it was determined that there was a need for additional time to properly review the Report. A Zoom-only Council meeting will therefore be set up in January to continue the presentation/review. Included in that meeting will be further discussion about stimulants and benzodiazepines.

VIII. New Business

- None (deferred)

IX. Next Meeting: March 21, 2022, 3:00-5:00 p.m. A calendar invitation will be sent out.

The meeting was adjourned at 5:10 p.m.