



Kentucky Board of Medical Licensure Newsletter

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Fall 2017

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Update on Acute Prescribing Amendment to 201 KAR 9:260

The Kentucky Board of Medical Licensure recently filed an amendment to 201 KAR 9:260, which is the Board's regulation for setting out the standards for prescribing and dispensing controlled substances in the Commonwealth. The Board has filed the amendment in response to the enactment of HB 333, which was passed by the 2017 Kentucky General Assembly and signed by Governor Bevin.

In addition to establishing the professional standard of a 3-day prescribing limit on Schedule II controlled substances for acute pain, the amendment also clarifies the professional standard for titration of controlled substances consistent with the 2016 Centers for Disease Control and Prevention Guideline for the Prescribing of Opioids for Chronic Pain. The public hearing and public comment period on the amendment has ended and the regulation is currently being reviewed by a legislative committee.

Please note the provisions of the amended regulation are currently not in effect and the Board anticipates the changes in the regulation will go into effect in December. Once the Board receives final approval on the amendment, it will issue further information about the regulation to its licensees.

Important CME Reminder – End of Three-Year Cycle Approaching

The Board would like to remind all of its licensees that we are approaching the end of the third and final year of the Board's 3-year CME Cycle. Board Regulation 201 KAR 9:310 requires all physicians maintaining a current Kentucky medical license to complete sixty (60) hours of CME every three (3) year cycle, with thirty (30) hours being certified in AMA or AOA Category I by an organization accredited by the Accreditation Council for Continuing Medical Education (ACCME). Again, please note that the current CME cycle ends on December 31, 2017.

The Board encourages all licensed physicians to ensure that they obtain the appropriate continuing medical education hours to maintain compliance with this regulation. It is important to note the continuing medical education requirements related to 2012's HB 1 are ongoing for those physicians authorized to prescribe controlled substances in Kentucky and **must be obtained every 3 years**. According to the regulation for each three (3) year continuing education cycle beginning on January 1, 2015, a licensee who is authorized to prescribe or dispense controlled substances in the Commonwealth at any time during that cycle shall complete at least four and one-half (4.5) hours of approved continuing education hours relating to the use of KASPER, pain management, addiction disorders, or a combination of two (2) or more of those subjects. A licensee may satisfy this requirement by completing a single approved program of 4.5 hours or longer or by completing multiple approved programs for a total of 4.5 hours or longer for that cycle.

A summary of the Board's CME requirements is available on our website, www.kbml.ky.gov. Just click on the link for continuing medical education.

Board Orders can be viewed under the Physician Profile/ Verification of License link on the Board's website at www.kbml.ky.gov

Board Action Report (actions taken since 07/01/17)

Mark A. Abramovich, M.D., Bardstown, KY, License # 23691
Third Amended Agreed Order entered into 07/17/17.

Timothy V. Bell, M.D., Long Beach, CA, License # 50584
Agreed Order of Fine entered into 07/13/17.

Saul I. Blecher, M.D., Cincinnati, OH, License # 37354
Agreed Order entered into 08/15/17.

Felix Brizuela, D.O., Harrison City, PA, License # 03998
Agreed Order entered into 07/20/17.

C. Glen Click, M.D., Stanford, KY, License # 17220
Agreed Order entered into 07/20/17.

Chris A. Ethridge, M.D., Louisville, KY, License # IP1451
Agreed Order entered into 09/25/17

Julie Ann Farrell, M.D., Cincinnati, OH, License # 31754
Amended Agreed Order entered into 08/24/17.

Bart J. Goldman, M.D., Louisville, KY, License # 24683
Agreed Order entered into 08/17/17.

Charles Groves, M.D., Tampa, FL, License # 50583
Agreed Order of Fine entered into 07/10/17.

Marjorie M. Haas, M.D., Hyden, KY, License # 49078
Order Terminating Agreed Order issued 09/25/17

James Y. Hyun, M.D., Long Beach, CA, License # 50585
Agreed Order of Fine entered into 07/13/17.

Jack Kendrick, M.D., Prestonsburg, KY, License # 29774
Agreed Order entered into 09/21/17

John M. McKeown, M.D., Oak Brook, IL, License # 17035
Order Terminating Agreed Order issued 08/18/17.

Stephen Lee Moore, D.O., Avon Lake, OH, License # 03919
Second Amended Agreed Order entered into 09/05/17.

Benjamin W. Moreland, PA-C, Louisville, KY, License # PA824
Agreed Order entered into 08/04/17.

Todd H. Nairn, M.D., Abingdon, VA, License # 31220
Agreed Order entered into 08/08/17.

Kusum Nigam, M.D., Louisville, KY, License # 32516
Order Terminating Agreed Order issued 08/18/17.

Jesus P. Querubin, M.D., Greenup, KY, License # 33412
Second Amended Agreed Order entered into 08/22/17.

Gabriel F. Ramirez, M.D., Long Beach, CA, License # 50574
Agreed Order entered into 07/06/17.

William Lane Stafford, M.D., Lexington, KY, License # R2529
Order Terminating Agreed Order issued 08/01/17.

Karla R. Groves Stephen, M.D., Nicholasville, KY, License # 40244
Order Terminating Agreed Order issued 07/27/17.

Monica K. Sullivan, M.D., Cincinnati, OH, License # 43346
Amended Agreed Order entered into 09/01/17.

Dwight H. Sutton, M.D., Bowling Green, KY, License # 40753
Second Amended Agreed Order entered into 08/22/17.

Onyinyechi R. Uradu, M.D., Ashland, KY, License # 40541
Order of Probation issued 07/24/17, effective 08/25/17.

Himachal R. Veligandla, M.D., Prestonsburg, KY, License # 40110
Order Terminating Amended Agreed Order issued 08/18/17.

Canh Jeff Van Vo, D.O., Elizabethtown, KY, License # 02626
Order Terminating Agreed Order issued 08/18/17.

Heloise Demoin Westbrook, M.D., Greenville, KY, License # 47657
Agreed Order of Fine entered into 08/02/17.

David L. Winkle, M.D. Lexington, KY, License # 15951
Agreed Order entered into 08/10/17.

Restrictions have also been placed on the following physicians' licenses pending resolution of charges brought against them.

Elizabeth Veeneman Bates, M.D., Louisville, KY, License # 36808
Complaint and Emergency Order of Restriction issued 08/10/17, effective 08/14/17.

Jeffrey A. Campbell, M.D., Jeffersonville, IN, License # 23424
Emergency Order of Suspension issued 07/13/17, effective 07/15/17. Complaint issued 07/20/17, effective 07/21/17.

Brandon Nelson Conrad, M.D., Danville, KY, License # 47034
Complaint and Emergency Order of Suspension issued 08/11/17, effective 08/11/17.

Leslie J. Dunaway, M.D., Louisville, KY, License # 23379
Complaint and Emergency Order of Restriction issued 08/08/17, effective 08/09/17.

Information about Telehealth in Kentucky

There are many definitions for telehealth, but a simple explanation is the “provision of healthcare services using communication technologies”. The Kentucky TeleHealth Network (KTHN), the statewide telehealth initiative that resulted from legislation passed in the 2000 Kentucky Legislative Session has, as its mission, to get “the right care to the right people at the right time in the right place at the right cost”. Kentucky was an early pioneer in telehealth, has conducted over 150,000 telehealth encounters, includes over 1,000 approved member-sites and was the first state in the country to have legislatively mandated Medicaid and Commercial Health Plan reimbursement for telehealth encounters. If you have not integrated telehealth into your practice, now may be the time. As you consider how to use telehealth, there are several resources you can turn to for help:

- University of Kentucky Telehealth Resource Center – Rob Sprang rsprang@uky.edu
- University of Louisville Telehealth Resource Center – Tim Bickel tim.bickel@louisville.edu
- Kentucky TeleHealth Network – Donna Veno Donna.veno@ky.gov
- Kentucky Medicaid Regulations <http://www.lrc.state.ky.us/kar/907/003/170.htm>
- Kentucky Department of Insurance Law <http://www.lrc.ky.gov/Statutes/statute.aspx?id=17373>
- CMS Medicare telehealth guidelines <https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/downloads/TelehealthSrvcsfctsht.pdf>

Kentucky has been a very progressive state in the deployment of telehealth services, but state officials are always working to improve the legal and regulatory climate. Every telehealth program must consider technology, reimbursement, privacy and security, patient consent, licensure/privileging/credentialing and other issues. Both sides of the clinical encounter must be members of the KTHN network which requires a document be submitted for approval at quarterly KTHN Board of Director’s meetings. For most providers, it is not a matter of whether you will use telehealth in your practice; it is simply a matter of when.

Board Elects New Officers and Welcomes New Members

The Board would like to announce that it has elected new officers to serve in leadership positions for the upcoming year. Russell Travis, M.D., of Lexington, was elected to serve as the Board’s new President. C. William Briscoe, M.D., of Corbin was also elected to serve as Vice-President and Randel C. Gibson, D.O., of Mayfield, was elected as Secretary. Dr. Briscoe also serves as Chairman of the Board’s Inquiry/Hearing Panel A and Dr. Gibson serves as Chairman of the Board’s Inquiry/ Hearing Panel B.

In addition to the election of officers, the Board recently welcomed four new members at its September meeting. The Board welcomed the appointment of Kenneth J. Payne, M.D., who practices Obstetrics/Gynecology in Louisville and was appointed by Governor Bevin. Dr. Payne filled the vacancy left by Tamella B. Cassis, M.D., whose term expired. The Board also welcomed Sandra Shuffett, M.D., who practices Radiology in Lexington and was appointed by Governor Bevin. Dr. Shuffett filled the vacancy left by Heidi M. Koenig, M.D., whose term expired. Governor Bevin also appointed Richard Whitehouse, Esq. to the Board in the role as a consumer member. Mr. Whitehouse is a healthcare executive in Louisville and filled the vacancy left by Thangam Rangaswamy, Ph.D., whose term also expired. Finally, the Board welcomed W. Duncan Crosby III, Esq., a practicing attorney in Louisville who was also appointed by Governor Bevin in the role as a consumer member. Mr. Crosby filled the vacancy left by Patrick Hughes, Esq., whose term expired.

The Board would like to take the opportunity to express its deepest appreciation to Dr. Cassis, Dr. Koenig, Dr. Rangaswamy, and Mr. Hughes for their many years of service to the citizens of the Commonwealth and for their dedication to the citizens of the Commonwealth and the licensees under the Board’s authority.

National Prescription Drug Take Back Day – October 28, 2017

The Drug Enforcement Administration (DEA) is coordinating the next National Take Back Day on Saturday, October 28, 2017. From 10 a.m. to 2 p.m., the DEA will give the public its 14th opportunity in 7 years to prevent prescription drug abuse by ridding their homes of potentially dangerous expired, unused, and unwanted prescription drugs. Please note the DEA cannot accept liquids, needles, or sharps. It is only accepting pills or patches. The service is free and anonymous.

Last April, Americans turned in 450 tons of prescription drugs at almost 5,500 sites operated by the DEA and more than 4,200 of its state and local law enforcement partners. Overall, in its 13 previous Take Back events, DEA and its partners have taken in over 8.1 million pounds of pills – more than 4,050 tons – of pills.

This initiative addresses a vital public safety and public health issue. Medicines that languish in home medicine cabinets are highly susceptible to diversion, misuse, and abuse. Rates of prescription drug abuse in the U.S. are alarmingly high, as are the number of accidental poisonings and overdoses due to these drugs. Studies show that a majority of abused prescription drugs are obtained from family and friends, including those pills left in the medicine cabinet. In addition, Americans are now advised that their usual methods for disposing of unused medicines – flushing them down the toilet or throwing them in the trash cause potential safety and health hazards.

For more information about the disposal of prescription drugs or to find your local drop off site for the October Take Back Day, visit the DEA Diversion website at: https://www.deadiversion.usdoj.gov/drug_disposal/takeback/.

Collaborative Prescribing Agreement Joint Advisory Committee

During the 2014 legislative session of the Kentucky General Assembly, lawmakers passed SB 7, which created the Collaborative Prescribing Agreement Joint Advisory Committee and is made up of 6 members appointed by the Kentucky Board of Nursing and the KBML.

The primary focus of this Committee is to make recommendations to the KBN and KBML about the CAPA-NS agreements and other duties assigned by the legislation. The legislation also set out that the Committee will assist APRNs by identifying any physicians who are available to enter into a CAPA-NS in non-emergency and emergency situations. In order to assist in this effort, the legislation requires that the Kentucky Board of Medical Licensure provide the Committee with the names, contact information, and any fee requirements provided by the physicians to enter into the CAPA-NS agreement.

The Board initially requested physician assistance with this effort in 2014; however, it was recently noted that our records need to be updated for physicians willing to facilitate this process. With that being said, the Board is asking for your assistance by identifying your willingness to assist by entering into a CAPA-NS in a non-emergency or emergency situation. You can do this by simply providing your name, contact information, and any fee requirements to the Board via email to the attention of jennie.woods@ky.gov.

Changes in Domestic Violence Reporting Requirements

On June 29, 2017, Kentucky's mandatory reporting law for victims of domestic violence was changed to a mandatory information and referral provision. The revised law requires certain professionals such as physicians to provide suspected victims of domestic violence and abuse or dating violence and abuse with educational materials related to domestic violence and dating violence; information about how to access regional domestic violence programs and/or rape crisis centers; and how to access protective orders. This law also requires these same professionals to make a report to police IF requested to by the victim and to report to police if they believe that the death of a victim may be related to domestic or dating violence. More information about the new law and brochures can be found <https://www.kcadv.org/content/krs-209a-referral-information-professionals-and-law-enforcement>

Renewal of Physician Licenses for 2018

In late December, physicians holding an active license will receive a notice by mail with instructions to renew his or her license. Physicians will be able to renew their license online at www.kbml.ky.gov. To complete the renewal, physicians will be required to verify and update their unique licensure information. The fee to renew online will be \$150.00. Physicians who renew by paper will be assessed an additional \$10.00 fee. Please note the link to renew your license on the Board's website will not be available until the first week of January 2018.

Annual Report

In accordance with state statutes, the Board has submitted its annual report to the Governor outlining its activities for the past fiscal year. A copy of the full report is available at <http://kbml.ky.gov/board/Pages/Annual-Report.aspx>

