

July 8, 2016

## New Federal Buprenorphine Prescribing Rule

Access to medication-assisted treatment for people addicted to heroin and pain pills will expand under a new U.S. Department of Health and Human Services rule. This change will allow qualified physicians to treat up to 275 patients, up from 100, with buprenorphine, a medication that blocks opioids from affecting the brain. The rule is set to go into effect in early August 2016. Read the [full rule on the Federal Register](#).

## Medical Marijuana Update

Governor John R. Kasich signed House Bill 523, a bill that "authorizes the use of marijuana for medical purposes and establishes the Medical Marijuana Control Program," into law on Wednesday, June 8, 2016. The legislation goes into effect on September 8, 2016. The Ohio Department of Commerce, State Medical Board, and Board of Pharmacy will regulate aspects of the legislation.

House Bill 523 authorizes the State Medical Board of Ohio to adopt rules in accordance with the Administrative Procedures Act, for the following:

- The procedures when applying for a Certificate to Recommend;
- The conditions that must be met to be eligible for a certificate to recommend;
- The schedule and procedures for renewing a certificate to recommend;
- The reasons for which a certificate may be suspended or revoked;
- The standards under which a certificate suspension may be lifted;
- The minimal standards of care when recommending treatment with medical marijuana.

The Board has one year from the effective date of the bill to adopt the rules.

## Medical Board Seeks Comments Regarding Proposed Rules

The Medical Board and the Common Sense Initiative Office are seeking comments on the Medical Board's proposed new language for Rule 4731-11-09, Prescribing to Persons Not Seen by the Physician, and Rule 4731-11-01, Definitions for the rules concerning the prescribing of controlled substances.

The proposed language for Rule 4731-11-09 reflects the enactment of Section 4731.74 of the Revised Code, which directs the Medical Board to adopt a rule that authorizes a physician to establish a physician-patient relationship by the use of appropriate technology that permits, in a manner that is consistent with the minimal standard of care for in-person care by a physician, a medical evaluation and the collection of relevant clinical history as needed to establish a diagnosis, identify any underlying conditions, and identify any contraindications to the treatment that is recommended or provided. Regarding prescription drugs that are controlled substances, the rule must establish standards that are consistent with federal law.

Rule 4731-11-01 adds definitions for the terms "active patient," "consult," and "cross coverage." The rules and the Business Impact Analysis can be found on the [Medical Board's website](#).

Comments should be sent no later than **July 25, 2016** to both of the following:

- Medical Board at: [Sallie.Debolt@med.ohio.gov](mailto:Sallie.Debolt@med.ohio.gov)
- Common Sense Initiative at: [csipubliccomments@governor.ohio.gov](mailto:csipubliccomments@governor.ohio.gov)

## Wallet Cards for Cleveland Area First Responders

As part of preparations for the convention slated to take place in Cleveland the week of July 18, any physician who will be in the region and anticipates being a first responder in the event of an emergency can request a wallet card. If you do not have an existing wallet card and would like to request one for use in emergency response, please email: [med.renewal@med.ohio.gov](mailto:med.renewal@med.ohio.gov). Put "Wallet Card Request (July Convention)" in the subject line and include your full name and license number in the email request. Physicians should be advised that all other wallet card requests will be addressed with a print option in the new eLicense system (anticipated March, 2017, release).

## Veterans Services Seeking Physicians

The Ohio Department of Veterans Services, a fellow state agency, is seeking applicants for several employment service opportunities. The Ohio Veterans Home in Sandusky is seeking a physician to serve as the full-time Assistant Medical Director. The Ohio Veterans Home in Georgetown has two part-time openings for physicians, both serving as Physician Administrators. Click [here](#) for more information regarding position responsibilities and salary ranges. Use "physicians" as the sort keyword to locate the vacancies.

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