



NEWS and NOTES from NPO

JANUARY 9, 2019

CONTROLLED SUBSTANCE UPDATES

3 IMPORTANT CHANGES IN EFFECT TO NEW CONTROLLED SUBSTANCE PRESCRIBING INCLUDING GABAPENTIN ADDED TO SCHEDULE 5 DRUG LIST

MSMS outlines important Controlled Substance Prescribing Rule changes now in effect including the addition of Gabapentin to the schedule 5 drug list as a controlled substance. A summary of the changes and additions is found below.

New Controlled Substance Prescribing Rules in Effect

Michigan prescribers and patients have experienced the implementation of several legislative and regulatory actions intended to address Michigan's opioid crisis over the past year. Most recently, revisions to the Michigan Board of Pharmacy's Controlled Substance rules were finalized and **took effect immediately** upon filing with the Office of the Great Seal on **January 4, 2019**.

There were **three important changes** to the rules; perhaps most notable of which is the identification of exceptions to the "bona fide prescriber-patient relationship" requirement in MCL 333.7303a.

On April 2, 108, the Legislature responded to stakeholder concerns by delaying the effective date of the bona fide relationship provision to March 31, 2019, or upon the promulgation of rules carving out exceptions, whichever was sooner. Because the rule establishing these exceptions was finalized with immediate effect, the requirement of a bona fide prescriber-patient relationship prior to prescribing a controlled substance to patients also took effect on January 4, 2019. MSMS and many other health care stakeholders collectively advocated for exceptions that allow prescribers to provide timely, appropriate and non-duplicative care to patients. MSMS Legal Counsel has prepared a [LEGAL ALERT](#) detailing the statutory bona fide prescriber-patient relationship requirement, the administrative rule exceptions, and suggested best practices for compliance. The related rule change is as follows:

- R 338.3161a - Prescribers must be in a "bona fide prescriber-patient relationship" before prescribing a controlled substance listed in schedules 2 to 5. Exceptions allowing a prescriber to prescribe a controlled substance listed in schedules 2 to 5 without first establishing a bona fide prescriber-patient relationship are recognized in the following circumstances:
 - When a prescriber is providing on-call coverage or cross-coverage for another prescriber who is not available and has established a bona fide prescriber-patient relationship with the patient, as long as the prescriber or an individual licensed under article 15 of the act, reviews the patient's relevant medical or clinical records, medical history, and any change in medical condition, and provides documentation in the patient's medical record.

- When the prescriber is following or modifying the orders of a prescriber who has established a bona fide prescriber-patient relationship with a hospital in-patient, hospice patient, or nursing care facility resident and provides documentation in the patient's medical record.
- When the prescriber is prescribing for a patient that has been admitted to a licensed nursing care facility or a hospice and completes the tasks required in sub-rule (2)(a) and (2)(b) in accordance with the nursing care facility or hospice admitting rules and provides documentation in the patient's medical record.
- When the prescriber is prescribing for a patient, and the tasks required in sub-rule (2)(a) and (2)(b) are complied with by an individual licensed under article 15 of the Public Health Code and the prescriber provides documentation in the patient's medical record.
- When the prescriber is treating a patient in a medical emergency, as defined in the rule.

In addition, prescribers need to be aware of two other important changes as follows:

- R 338.3125 - Gabapentin has been added to the schedule 5 drug list as a controlled substance. As a result of this change, any prescribers prescribing gabapentin must be registered with the Michigan Automated Prescription System (MAPS). Prescribers must also obtain and review the patient's MAPS report if prescribing a quantity that exceed a 3-day supply, unless dispensed and administered to a patient within a hospital or freestanding surgical outpatient facility.
- R 338.3135 - Licensees applying for or holding a controlled substance license, as well as delegates who prescribe, administer, or dispense on behalf of a licensee, will be required to complete a one-time opioid and other controlled substances awareness training. This requirement **does not** take effect until September 1, 2019, for initial licenses and the first renewal cycle **after** the promulgation of this rule for controlled substance license renewals. More details will be forthcoming from the MSMS Education Department as the compliance deadline nears.

If you have additional questions, please contact [Stacy P. Hettiger](#) , MSMS Director of Medical and Regulatory Policy at (517) 336-5766.

THINGS TO KNOW

MIPS REPORTING DEADLINE FOR 2018 IS APRIL 2, 2019

Please Note: MIPS reporting deadline for 2018 is April 2, 2019. There are only 90 calendar days and 60 business days to prepare your data.

If you are ready to submit your data, [CLICK HERE](#).

If some additional information is needed QPP is hosting a webinar titled ***MIPS 101: An Overview of the Merit-Based Incentive System (MIPS) for Solo and Small Group Practices*** on 1/17/2019 at 12:00 pm which may be beneficial.

To register for this webinar [CLICK HERE](#).

National Writers Series - An Evening With Tommy Tomlinson

The [National Writers Series](#) invites you, your staff and your patients to An Evening With Tommy Tomlinson, author of debut memoir ***The Elephant in the Room, One Fat Man's Quest to Get Smaller in a Growing America***. At times humorous and intimately honest, it's a rare glimpse of the realities, ironies and revelations of someone on the path to overcoming obesity amidst America's plus-size epidemic. This will be an inspirational, entertaining, and relatable evening for anyone facing addiction, dealing with obesity or that is a caregiver, friend or family member of someone who is. Tommy talks about what it is like to live life as a very obese 460 pound person, and how he took a deep dive inward to start dealing with his addiction and turn his life around.

When: Wednesday, February 13, 2019 at Traverse City Opera House 7 PM/Doors open at 6 PM
Tickets available through the [CITY OPERA HOUSE BOX OFFICE](#)



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NPO-CIN BLOG

Don't forget to check out the NPO Blog on the NPO-CIN Website. These short pieces keep practices and providers aware of the most relevant subjects for our region and nationally.

[NPO BLOG](#)

Helpful Resources & Upcoming Events

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****2019 Calendars will be posted as finalized****

NPO is committed to providing great resources to our members!

Northern Physicians Organization 231.421.8505