

Medical & Legal Aspects of Pain Management

Multi-Disciplinary Seminar Presented by

OSMA, OMB, OUHSC, OOB, OOA, PLICO, OBND, OAG, ABLM

Friday, February 3, 2012, Magnuson Hotel & Meridian Convention Center, 737 Meridian Ave.
Oklahoma City, OK

Medical & Legal Aspects of Pain Management

Jointly Sponsored by

**The Oklahoma State Medical Association [OSMA],
The Oklahoma Osteopathic Board [OOB], and
Physicians Liability Insurance Company of Oklahoma
[PLICO]**

Presented by

**The Oklahoma Medical Board [OMB]
The Oklahoma Osteopathic Association (OOA)
The University of Oklahoma College of Medicine (OUHSC)
Oklahoma Bureau of Narcotics & Dangerous Drugs (OBND)
The Office of the State Attorney General (OAG)
The American Board of Legal Medicine (ABLM)**

February 3, 2012

Friday, 7:45 a.m. - 4:00 p.m.

**Address: Magnuson Hotel &
Meridian Convention Center**

737 Meridian Ave

Oklahoma City, OK 73127



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SCHEDULE OF EVENTS & SEMINAR PROGRAM

7:00 – 4:00 p.m. Registration and Information Desk Open

7:00 – 9:00 a.m. Continental Breakfast

7:45 – 8:00 a.m. Seminar Begins - Welcome and Announcements:

Program CME Planning Committee

- **Deborah Bruce**, JD, Executive Director, OOB
- **Christopher S. Candler**, MD, EdD, Associate Dean of Academic Affairs, OUHSC
- **Carl Hook**, MD, President and CEO, PLICO
- **Lyle Kelsey**, MBA, CAE, Executive Director, OMB
- **Kenneth King**, Executive Director, OSMA
- **S. Sandy Sanbar**, MD, PhD, JD, Program Chairman, ABLM Past Chairman
- **Darrel Weaver**, BA, MA, Director, OBNDD

Accreditation Statement

This activity has been planned and implemented in accordance with the Essential Areas and Policies of the Accreditation Council for Continuing Medical Education (ACCME) through the joint sponsorship of the Oklahoma State Medical Association (OSMA) and the Physicians Liability Insurance Company (PLICO). The OSMA is accredited by the ACCME to provide continuing medical education for physicians.

The OSMA designates this live activity for a maximum of *7 AMA PRA Category 1 Credits™*. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

DO Credit: This seminar is approved for 6 hours of CME license renewal credit and 1 hour of Proper Prescribing credit.

This Live Activity, “Medical & Legal Aspects of Pain Management”, with a beginning date of 2/3/2012 has been reviewed and is acceptable for up to 7.0 Prescribed credits by the American Academy of Family Physicians. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

This activity is approved for 10 points toward the PLICO Risk Management premium credit.

Faculty/CME Planning Committee have no relevant financial relationships to disclose.

In-Kind Support is provided by the Oklahoma Medical Board (Oklahoma State Board of Medical Licensing and Supervision).

CLE has been applied for.

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PROGRAM MORNING SESSION I

Educating Practitioners, Patients & Public about Controlled Substances

Moderators: Carl Hook, MD, President and CEO, PLICO

Christopher S. Candler, MD, EdD, Associate Dean of Academic Affairs,
Associate Professor of Medicine, OUHSC

8:00 - 8:30 a.m. – Pain Management Education and Competence

Christopher S. Candler, MD, EdD

8:30 - 9:00 a.m. – Pain Evaluation, Assessment and Documentation Guidelines

Gretchen M. Wienecke, M.D., Clinical Associate Professor,
Department of Anesthesiology, OU Physicians Pain Management
Center, OUHSC

- Clinic Pain Management Policy and Guidelines
- Comprehensive Pain History Guidelines
 - Types of Pain; Pain Processing; Assessing Pain
 - Assessing Risk for Opioid Abuse
 - Assessing Pain in Special Populations and in ICU
 - Assessing Risks and Benefits
- Comprehensive Physical Examination Guidelines
- Documentation Guidelines

9:00 - 9:30 a.m. – Initiation of Treatment Plan & Pharmacology

C. Scott Anthony, D.O., Pain Management of Tulsa, OK

- Components of an Effective Treatment Plan
- Applying Evidence-Based Guidelines to Common Pain Conditions
- Pain Management Guidelines & Standards
- Patient and Public Education and Instructions

9:30 -10:00 a.m. – Periodic Review (Follow-up) of Pain Treatment

Layne E. Subera, D.O., Skiatook, Oklahoma

- How to Monitor Patient Progress
- Components of an Effective Periodic Review/Follow-up
- Review of Functional Goals
- Monitoring Adherence to Medication Regimens
- How to Manage Non-Adherent Pain Patients
- How to Distinguish Addiction vs. Pseudo-addiction

10:00 – 10:15 a.m. – BREAK

PROGRAM MORNING SESSION II

Prescription Monitoring, Drug Testing & Discharging Patients

Moderators: **Lyle Kelsey, MBA, CAE**, Executive Director, OMB
 Deborah Bruce, JD, Executive Director, OOB

10:15 – 10:45 a.m. – Prescription Monitoring, Drug Testing, Discontinuing Rx
C. Scott Anthony, D.O., Pain Management of Tulsa, OK

- Establishing a Drug Testing Platform;
- Documenting Medical Necessity for Drug Testing; and
- Role of Urine Drug Testing (UDT) in Monitoring Treatment Adherence.

10:45 – 11:15 a.m. – Medical-Legal Considerations
S. Sandy Sanbar, MD, PhD, JD

- Establishing a Physician-Patient Relationship
- Obtaining Informed Consent (or Informed Refusal) to Pain Management
- Physician/Patient Pain Management Agreement (Contract)
- Duty to Document in Medical Record
 - Elements of Effective & Specific Documentation
 - Accurate Coding for Pain Diagnosis, Testing and Treatment
- DEA Standard
- HIPAA Privacy Standard
- FDA REMS (Risk Evaluation and Mitigation Strategy)
- Duty to Refer or Consult
 - How to Facilitate the Referral Process
 - When to Refer for Patient Behavioral Issues
 - How to manage a Difficult Physician-Patient Relationship
- Terminating a Physician-Patient Relationship
- How to Discharge a Non-Compliant Patient.

11:15 – 12:00 p.m. – Presentation of Cases and Questions & Answers

12:00 – 1:00 p.m. - LUNCH BREAK

PROGRAM AFTERNOON SESSION

Pain Medications: Federal and State Law Enforcement

Moderators: **S. Sandy Sanbar, MD, PhD, JD, FCLM, Program Chairman**
 Kenneth King, CEO and Executive Director, OSMA

1:00 – 1:30 p.m. – Controlled Drugs: State Laws & Regulations
 Robert Hudson, JD, First Assistant Attorney General, Oklahoma

- Abuse of Pain Medications
- Fraud Involving Controlled Drugs
- Crimes/Murder Involving Pain Medications

1:30 – 2:00 p.m. – Compliance with Oklahoma Medical Board Rules
 Lyle Kelsey, MBA, CAE, Executive Director, OMB

- Pain Management Rules – Oklahoma Medical Board
- CME Pain Management Education Requirements;
- Investigations of Prescribers; and Disciplinary Proceedings

2:00 – 2:30 p.m. – Pain Management Rules - Oklahoma Osteopathic Board of Examiners
 Deborah Bruce, JD, Executive Director, OOB

- Pain Management Rules – Oklahoma Osteopathic Board of Examiners
- CME Pain Management Education Requirements;
- Investigations of Prescribers; and Disciplinary Proceedings

2:30 – 3:15 p.m. - Pain Medications: Compliance with Narcotics State Laws
 Director Darrell Weaver, OBND

- Prevention of Injury and Death.
- State Prescription Monitoring Program (PMP)
- Proper Disposal of Drugs
- Organized Diversion Rings;
- Pill Mills; Predators; and Doctor Shoppers.

3:15 – 4:00 p.m. – PANEL ALL Speakers – Pain Malpractice, Qs & As, AND Comment on the Drug Court Program by
 The Honorable Judge Martha Oakes,
 Special Judge of the District Court of Oklahoma County

4:00 p.m. – ADJOURN

Statement of Need

Prescription drug abuse is the Nation's fastest-growing drug problem. Over 70 percent of people who abused prescription pain relievers got them from friends or relatives. Prescription drugs are the second most-abused category of drugs after marijuana. Any physician or healthcare provider licensed to prescribe, dispense or administer prescription drugs should be educated on how to do so in a safe and clinically appropriate way.

Allopathic and Osteopathic pain management, particularly with controlled substances, is prescribed and dispensed currently at an increasing rate to help patients cope with pain, insomnia, anxiety, depression, and myriad other disorders. Most practitioners are rather conservative when prescribing controlled drugs while a small number are at times overly aggressive. Furthermore, controlled prescription medications are falling into the hands of increasing numbers of prescription drug abusers.

This Seminar focuses on the following four major areas aimed at reducing prescription drug abuse:

1. **Education** – This is critical for the public, for patients and for healthcare providers to increase awareness about the dangers of prescription drug abuse, and about ways to appropriately dispense, store, and dispose of controlled substance medications.
2. **Monitoring** - Enhancement and increased utilization of prescription drug monitoring programs will help to identify “doctor shoppers” and detect therapeutic duplication and drug-drug interactions.
3. **Proper Disposal** - The development of consumer-friendly and environmentally-responsible prescription drug disposal programs may help to limit the diversion of drugs, as most non-medical users appear to be getting the drugs from family and friends.
4. **Law Enforcement** - The provision to law enforcement agencies the support and the tools they need to expand their efforts to shut down “pill mills” and to stop “doctor shoppers” who contribute to prescription drug trafficking.

Practitioner should more effectively:

- **Know the laws, State and Federal, and regulations** pertaining to prescribing of controlled substances for pain;
- Understand the **FDA REMS (Risk Evaluation and Mitigation Strategy) Program** and the Role of Drug Manufacturers in Educating Patients & Practitioners;

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- Learn how to use the **Prescription Monitoring Program**;
- Understand the **standards of care for pain management** generally and more specifically when utilizing controlled drugs;
- Adhere to **evidence-based guidelines** when managing pain and Identify diagnostic criteria for appropriate prescribing;
- Consider the **therapeutic implications** of specific substance use by individual patients, conduct clinic/office **periodic review** of pain management, and evaluate **outcome data**, whether beneficial, non-effective, or adverse;
- Know how to **educate patients about controlled substances**;

Who Should Attend and Why?

Physicians in all specialties, Physician Assistants, Pharmacists, and Nurses in medical offices, clinics, hospitals, palliative care and home health, who need or wish to increase their medical and legal knowledge of pain management and enhance their ability to effectively prescribe, administer and control opiate medications without the potential for abuse.

Participant Learning Objectives

After attending this course, participants will be able to:

- **Understand** the Federal and State law regarding opiates, the standards for opiate use;
- **Develop** a Clinic Policy for managing pain patients and opiate prescribing;
- **Employ** interviewing techniques relating to the diagnosis and management of substance abuse in general and prescription drug abusers in particular;
- **Select** patients who are appropriate candidates for opioid management of chronic pain in keeping with established guidelines;
- **Define** risk factors for potential misuse or abuse of prescribed opioid medications, recognize the importance of consistent screening for risk prior to prescribing, and outline a time efficient method of screening for risk;
- **Follow** an evidence-based protocol for starting patients on opioid analgesic therapy, including issues specific to safely initiating and titrating opiates;
- **Recognize** aberrant drug taking behaviors related to opioid misuse or abuse, and be able to distinguish unintentional misuse and “pseudoaddiction” or “chemical coping” from deliberate misuse, abuse and diversion;
- **Outline** an effective approach to clarify and intervene appropriately with aberrant drug-taking behaviors, including referral to specialized addiction treatment programs when indicated; and

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- **Discuss** beliefs, stereotypes, and attitudes about controlled substance prescribing, controlled drug abusers and chemical dependency, and consider the therapeutic implications of treatments based upon these beliefs.

Educational Design and Methodology

- The course uses lectures, participative discussions, studies of cases, syllabus, and power points presentations to create an intensive learning environment for attendees.
- Each registrant will complete a **pre-test** prior to the course and a **post-test** at the end of the course.
- Participants will only receive CME and PLICO **credits** for the sessions attended.

Registration Fee: \$150

Registration Information: Please Call or E-Mail

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