

MSSNY
Committee on Addiction and Psychiatric Medicine Meeting
May 7, 2021
Draft Minutes

Present

Janine Fogarty, MD, Asst.
Commissioner
Stephen Hermele, MD Chair
Marvin Rabinowitz, MD, Vice-Chair
Scott Breidbart, MD
Subhash Chandra, MD
Frank Dowling, MD
Laurence Epstein, MD
Hany Manassa, MD
Lynda Hohmann, MD
Nina Huberman, MD
Celeste Johns, MD
Brian Johnson, MD
Hemant Kalia, MD
Russell Kamer, MD
Glenn Martin, MD
Jeffrey Selzer, MD
Jared Walsh, MD
Stacey Watt, MD

Norman Wetterau, MD
Barbara Ellman, Alliance

Excused

Joshua Cohen, MD Commissioner

Absent

Gregory Bunt, MD
Russell Kamer, MD
Hany Manassa, MD
Leslie Marino, MD
Leanna Knight, Student
David Kerling, Student

Staff

Troy Oeschner, Exec Vice-President
Pat Clancy, Vice-President/Managing
Director
Public Health Education
Maureen Ramirez, Administrative Asst.

- 1 **1) Welcome**
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3 **2) Adoption of February 19, 2021 minutes** – minutes were emailed to
4 committee for review. Minutes have been approved.
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6 **3) Discussion of Legalization of Recreational Marijuana**
7 **a) Office of Cannabis Management** – Recreational Marijuana has been signed
8 into law by the governor. It was a three way agreement which allows anyone in the
9 state of New York 21 years or older to purchase marijuana.
10 **b) Synopsis of bill** – the bill creates a regulatory system to oversee the
11 cannabis industry. It allows limited amounts of marijuana to be grown at home.
12 20% of the funding generates from tax revenues will be set aside for drug
13 treatment and education. 40% of tax revenue will be set aside to assist
14 communities that were disproportionately impacted by the marijuana laws and
15 another 40% goes to state education funding. It creates the Office of Cannabis
16 Management. This office is already up and running.
17 **c) Regulation’s forthcoming** – Regulations have not yet been proposed. It is
18 not clear how quickly these regulations will come; but are expected to be developed

19 within the next several months. The law currently allows for individuals to have 5
20 lbs. of marijuana at home. There was concern about exactly what that 5 lbs.
21 includes. Will it include buds, flower, twigs and sticks? If that is the case, 5lbs isn't
22 that much, however, if it is 5 lbs. of pure product, that is a significant amount for
23 an individual to possess.

24 The committee needs to be involved in the formulation of the regulations. It is
25 important to note that the medical marijuana is no longer under the direction of
26 DOH but has been moved to the Office of Cannabis Management.

27 The committee discussed asking for an appointment of a physician from MSSNY,
28 NYSAM or NYSPA to either the Cannabis Control Board or the Advisory Board to at
29 the very least help oversee the medical marijuana component of the office. The
30 Office of Cannabis Management should consist of the following:

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32 1) "The advisory board shall make recommendations to the cannabis control
33 board"

34 A motion was put forth before the committee that a letter should be sent to MSSNY
35 Council and should read as follows:

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37 "MSSNY requests a physician with experience in addiction and psychiatric medicine
38 be appointed to the Cannabis Control Board and three physicians with experience in
39 addiction and psychiatric medicine be appointed to the Cannabis Advisory Board.
40 MSSNY requests the appointees come from recommendations by MSSNY, NSYAM
41 and NYSPA".

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43 Pat Clancy will bring this motion to leadership and once approved – a letter will be
44 drafted.

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46 **4) Discussion of A. 3040 -- allowing pharmacists to administer injectable
47 MAT**

48 There is definitely questions regarding scope of practice. It was pointed out that
49 this bill is just an inquiry, at this point in time. If there is clarity with the
50 prescription from the physician, there might not be a problem, however a
51 pharmacist should never be the one to determine the need for the medication. It
52 was discussed pharmacists are not trained in the side effects of these medications
53 and may not be equipped to hand any side effects should they occur. There are
54 complications that the physicians experience distribution and storage. There are
55 benefits to ordering medications and the patient going to the pharmacists to get the
56 shot. It should only be administered in a clinical environment. A pharmacist should
57 administer with a physicians order only. It cannot be a standing order. It should
58 require an assessment before the shot. It is noted that there are many
59 contraindications to administer medications in many instances. The details of this
60 proposed law need to be looked at more closely. It was also pointed out, that if a
61 physician did not want to participate in this program, they did not have to.

62 A working group was created within this committee to look at this further should
63 this measure start to move. Drs. Breidbart, Johns, Hermel and Bunt will form this
64 group. Dr. Wetterau will report back on this topic from NYSAM. Dr. Martin will
65 report from NYSPA. Dr. Breidbart did report that the Board of Medicare is opposed

66 to this measure. He also indicated that similar measures are being enacted in other
67 states.

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69 **5) HHS New Regulations on Buprenorphine**

70 The committee discussed the change in regulations regarding Buprenorphine. It
71 removes a longtime requirement tied to training, which some practitioners have
72 cited as a barrier to treating more people. This waiver will require lots of oversight.

73

74 **6) Informational item:**

75 **a) Merger AMA's Task Forces on Opioids and Pain Management – Frank**
76 **Dowling, MD**

77 These task forces are combining and will allow advocating for education and data
78 collection. It will broaden the scope of harm reduction strategies and overdose
79 prevention. There was a question of what brought these two groups together?
80 These two groups have been working together for a long time, they've come
81 together now and joined forces for the common good.

82 **b) Merger of NYS OMH and OASAS within context of budget** This merger
83 has not happened. It passed in the NYS Senate, but not in the NYS Assembly. They
84 will continue to operate on their own. Both agencies work closely together now.

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86 **7) Adjournment: Next meeting October 22, 2021**

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