

**MSSNY**  
**Committee on Addiction and Psychiatric Medicine Meeting**  
**February 19, 2021**  
**Draft Minutes**

**Present**

Janine Fogarty, MD, Asst. Commissioner  
Marvin Rabinowitz, MD, Vice-Chair  
Scott Breidbart, MD  
Gregory Bunt, MD  
Subhash Chandra, MD  
Frank Dowling, MD  
Laurence Epstein, MD  
Hany Manassa, MD  
Lynda Hohmann, MD  
Nina Huberman, MD  
Brian Johnson, MD  
Russell Kamer, MD  
Leslie Marino, MD  
Glenn Martin, MD  
Jeffrey Selzer, MD  
Norman Wetterau, MD  
Barbara Ellman, Alliance

**Absent**

Jared Walsh, MD  
David Kerling, Student

**Excused**

Joshua Cohen, MD, Commissioner  
Hemant Kalia, MD  
Stephen Hermele, MD Chair  
Darvin Varon, MD

**Invited Guests**

Rob Kent, Esq. General Counsel, National  
Drug Control Policy (ONDCP)  
Joseph Sellers, MD, President-elect  
Parag Mehta, MD, Vice-President

**Staff**

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

- 1   **1) Welcome**  
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3   **2) Adoption of October 16, 2020 Minutes** – approved  
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5   **3) Rob Kent, Esq. General Counsel, National Drug Control Policy (ONDCP)** – Rob Kent  
6 formerly general counsel of OASAS has been appointed General Counsel at the National Drug  
7 Control Policy by the Biden Administration. Mr. Kent indicated that most of the team was in  
8 place and that they had only just begin to work in the agency. Mr. Kent is well known to MSSNY  
9 and the committee and indicated he would like to hear the members concerns. He pointed out  
10 that the agency is part of the Executive Office of the President. Harm reductions has been listed  
11 as one of the priorities of this office. There are two bills being sponsored in Congress. One that  
12 pertains to the X review and another would allow individuals access to Medicare benefits thirty  
13 days prior to release from incarceration. This would allow access to insurance and treatment  
14 benefits. A concern was the divide between state and federal regulations and how that would  
15 impact harm reduction. Mr. Kent encouraged the members of MSSNY to be in touch with their  
16 representatives in Washington to keep apprised of what is happening. Mr. Kent was thanked for  
17 his time.  
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19 **4) Review and adjustment to MSSNY Marijuana policy paper** – the governor has placed  
20 marijuana in the budget. The committee as been asked to review the letter and add or remove  
21 anything that no longer applies.

- 22 • The medical component should remain in the Department of Health rather than the  
23 Cannabis Medical Board.
- 24 • Harm reduction strategy should apply to both recreational and medical marijuana.
- 25 • The science references need to be updated they are over two years old.
- 26 • ASAM has an updated policy that might be referenced, it doesn't however, reference any  
27 downside.
- 28 • It shouldn't be sold to pregnant women.
- 29 • Regarding the AMA Marijuana Task Force – there should be more focus on science as  
30 opposed to advocacy.
- 31 • Needs to address racial and socio-economic disparities – this needs to be part of the  
32 document. The concentration of shops in the inner city will disproportionately effect the  
33 communities.

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35 Question – Did MSSNY support decriminalization? Yes, MSSNY did.

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37 Legalization of marijuana should not be in the state budget. The state should run the program.  
38 If the state runs the program it should help correct the concentration in disparate communities.  
39 The committee requested that Dr. Cohen give an update on the AMA Marijuana Task Force at  
40 the next meeting.

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42 Physicians are asked to meet with their legislators on the afternoon of MSSNY's Lobby Day on  
43 March 2, 2021. Committees and physician members should reach out to their county medical  
44 societies as well, to gather support.

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46 **5) 2021 House of Delegates Sunset Review** – The following policies have been forwarded to  
47 this committee for review. The committee can either reaffirm, reaffirm with modifications or  
48 sunset the policy.

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51 **a) 20.897 Age-based Alcohol Policies – Sunset**

52 **b) 65.992 Preventing Overdose Deaths – Reaffirm**

53 **c) 65.993 Preventing Overdose Deaths “911 Good Samaritan” – Reaffirm with  
54 modifications**

55 There was discussion regarding “sunsetting” this policy. It was brought to the committee's  
56 attention that if this policy no longer existed it would prevent the committee and MSSNY from  
57 speaking on this subject to the AMA or on a national level. It was decided to reaffirm with  
58 modifications. In the justifications the reason that this committee feels it's important for this  
59 policy to stay in place will be listed in the justification portion. If the committee would like to write  
60 a new policy, it can do so and present it to the House of Delegates at the meeting in the fall.

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62 **6) NYS Budget Proposal for the merging of OMH and OASAS** – The Legislature has  
63 rejected this merger in the past. There are several groups within OMH mad OASAS that are  
64 planning their budgets in anticipation of this merger. The worry is that substance abuse  
65 treatment will suffer with this merger. Also, how would this effect a sole practitioner treating  
66 substance abuse disorders? Do they have to join this organization? How will they merge the  
67 administration of these organizations? OASAS has often had non-medical execs in the past.  
68 What will physician roles be in the administration of this merger? There has, in the past been a

69 push to collaborate with clinical physicians. Patients with dual diagnosis will receive treatment  
70 for both. Regardless of whether you have a serious mental illness, a substance abuse disorder  
71 would not exclude a patient where it has in the past. The cultural differences between OMH and  
72 OASAS is a huge issue. Pat Clancy will look into what is going on with the merger and report  
73 back to the committee.

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75 **Future meetings: May 7, 2021 and October 22, 2021**

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77 **7) Adjourned.**

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