



**BOARD OF DIRECTORS
MEETING
CONFERENCE CALL**

MINUTES

Date: Thursday May 11, 2017
Time: 6:00 p.m.
Acting Chair: Greg Nazareth, Treasurer

Members Present (Directors): Dr. Jill Rosenthal, Dr. Lee Ann Brown, Dr. Samir Vakil, Dr. Anthony Silvagni, Sally West and the Hon. Al Nienhuis

Members Absent (Officers): Dave Bowen, Chair, Michael Ayotte, Vice Chair and Karen Bailey, Secretary

Member Absent (Director): Dr. Daniel Gesek

Staff: Robert Macdonald, Executive Director

DOH Staff: Erika Marshall, Outreach Director, E-FORCSE

Call to Order

Acting chair Greg Nazareth called the PDMP Foundation Board of Directors conference call meeting to order at 6:05 p.m., Thursday May 11, 2017.

Roll Call/Sunshine Law

The acting chair called on Mr. Macdonald to call the roll and to provide the Sunshine Law statement. He reported that there was a quorum with seven directors participating. Ms. Marshall said that she would be representing E-FORCSE in the absence of program director Becki Poston.

Approval of Minutes of Last Meeting (December 15, 2016)

The acting chair called for the approval of the Board of Directors minutes from the December 15, 2016 conference call. A motion was made by Dr. Brown and seconded by Sheriff Nienhuis to

approve the minutes as distributed. The acting chair hearing no request for discussion called for a vote on the motion and it was adopted unanimously.

Treasurers Report:

Financial Update:

Mr. Nazareth presented the following report on current foundation finances. As of May 2, 2017, the PDMP Foundation had \$3,119.16 in its Wells Fargo Bank Cash Account. In the Money Market Business Savings Account the balance was \$84,507.86. In the brokerage account the amount is \$1,460,433.53. The foundation's total assets are \$1,548,060.55.

Of the funds in the money market savings account, \$27,931.41 is allocated for the E-FORCSE Designated Operations Fund and \$12,455.21 is an E-FORCSE operations contingency account. The total amount of settlement funds in the money market account is \$40,386.62. There is also \$1,460,433.53 of E-FORCSE designated funds in a brokerage account. These three fund accounts consist of unspent CVS/Caremark settlement funds for E-FORCSE operations contributed by the Attorney General's Office and interest earned.

The remainder of the funds in the checking and money market account are designated for foundation operations. These monies include \$21,580 which is the current balance of the PDMP Foundation Operations Fund for FY 2016-2017 and \$18,274 which is the PDMP Foundation Reserve Fund. The foundation has also received \$3,750 in contributions, \$111 in Interest and \$405.43 in credits to date. The current total of non-settlement funds in the Money Market operating and checking accounts is \$47,240.40.

Investment Report:

Mr. Nazareth said that The PDMP Foundation Investment Committee consisting of Mr. Bowen, Dr. Vakil and he as chair continues to oversee the financial management of the \$1,460,433.53 in settlement funds by Wells Fargo private banking advisors. With the approval of the State Attorney General under its Memorandum of Understanding, the investment of the settlement funds is limited to managed CDs. Presently, all CDs have matured and the investment money is in a brokerage account awaiting further action by the foundation board.

Under the current MOU, the foundation can contribute up to \$500,000 per fiscal year to assist with the funding of the E-FORCSE database's operations. However, since 2014-2015, the Department of Health has been prohibited to use the settlement funds. Instead, the legislature has appropriated state general revenue funds for operation of the PDMP.

Once the foundation has been notified as to the status of the use of the settlement funds it can then determine how these funds should be distributed in the money market account awaiting distribution to DOH or purchasing addition CD investments. In the purchase of CDs, the bank will continue to rollover the certificates when they mature at the highest rate of return and until needed to be transferred back to the E-FORCSE operations fund to finance the database. All the investments are FDIC protected.

The foundation began purchase of jumbo certificates of deposit in January 2016. As of March 30, 2017, the foundation has received \$7,572.18 in interest income from its investments.

FY 2017 – 2018 Budget Overview:

Mr. Nazareth presented the foundation proposed FY 2017 – 2018 budget. He said it uses projected unspent funds, donations and credits to fund daily operations including compensation for the part-time executive director. These funds total \$35,400. The budget line items directly related to marketing, public relations, promotions, special events to enhance E-FORCSE utilization and education about the program are being supplemented by a small portion of the designated settlement funds. This amount totals \$15,050. The total proposed budget for the FY is \$50,450.

The executive director then discussed the use of settlement funds for marketing and promotion of E-FORCSE programs. He said that if the board adopts the proposed budget then it would be up to the Department of Health to determine if any settlement funds could be used for marketing and promotional purposes based on the legislatures prohibition of using these monies for PDMP database administration. If these funds could not be used he said that an alternative budget would need to be adopted to address funding for these projects.

Mr. Nazareth said that It is anticipated that this budget will be revised in December as there should be additional revenues received from annual campaigns to law enforcement agencies and from registration fees for the PDMP CE Course being finalized by the Florida Medical Association in cooperation with the foundation. He said that the delay in marketing the course was due to the change in State Surgeon Generals. The foundation will also apply for any funding available for operations from the large federal grant to Florida to address the Opioid addiction epidemic.

Following discussion on the budget, Dr. Silvagni moved and it was seconded by Sheriff Nienhuis to adopt the following motion:

MOVED, that the FY 2017-2018 PDMP Foundation budget be adopted and forwarded to the Department of Health for its review and comment.

Motion Passed Unanimously

Executive Director Report:

Mr. Macdonald gave an update on the 2017 legislative session dealing with the final passage by the Senate of a bill continuing the operation of the PDMP Foundation as a Direct Support Organization to the Department of Health through 2027 to provide supplemental funding for E-FORCSE operations. He said that he attended both House and Senate sub-committee and committee meetings in Tallahassee dealing with the DSO legislation. He said that during these several hearings no legislator opposed or had any major questions about the foundation's operations and its mission.

He said that with the conclusion of the session and with the foundation approved to continue as a DSO that several fundraising projects would be initiated to attempt to increase revenue of non-designated funds that could be used for foundation operations as well as support of the PDMP database. He said that he had met with newly appointed board member Hernando County Sheriff Al Nienhuis who agreed to take the lead in seeking continued support from the sheriffs for the PDMP. He also said that he would be contacting the over 300 Florida police chiefs to seek

donations. Other projects were the final production of the Online PDMP course to be promoted to health care practitioners and whose portion of its registration fees would be contributed to the foundation. Mr. Macdonald also said that he would seek new corporate funding and any grants for operations dealing with the PDMP's scope.

Mr. Macdonald said that Dr. Silvagni and Sheriff Nienhuis were the two new board appointments made following the December conference call. He said that Mr. Nazareth, Dr. Brown, Dr. Gezek and Ms. West had agreed to continuing serving on the board and that their appointment applications were being reviewed by the State Surgeon General. He said that their current terms expire in July.

E-FORCSE Outreach Director Report

Ms. Marshall provided the board with an update on statistics from the operation of the PDMP database. She said that since the database was operational in September 2011 over 200M prescription records have been maintained. The system receives about 3.5M prescriptions per month. She mentioned that prior to the 2017 legislative session dispensers had up to seven days to enter data into the system. However, she said that the law was amended this year to require that the information be forwarded to E-FORCSE within 24 hours or the next business day. She also said that of the 200 top prescribers of controlled substances, 181 (90.5%) have registered to use the database.

She also said that PDMP users has increased by 50.8% since 2012. There are currently nearly 40,000 health care practitioners registered with E-FORCSE. In 2016, these practitioners made over 31.5M queries for patient information.

Ms. Marshall said another important factor was that the PDMP has influenced prescriber behavior regarding Morphine Milligram Equivalents. She said that since the database became operational the mean MME of 112.2 in 2012 dropped to 68.5 in the second quarter of 2012. Based on the patient's health status, the Center for Disease Control recommends not increasing a patient's MME to over 50MME per day. She said a patient receiving 100MMEs per day is nine times more likely to overdose. She also pointed out that E-FORCSE has helped decrease multiple provider episodes (doctor shopping) by 79%.

Regarding continued funding for the PDMP database's operations she said that the legislature appropriated \$499,985 in the 2017-2018 budget and continued its restriction in using settlement funds for administration. She said that the Department also received \$2.4M in federal and state grants for upgrades, operations and special projects. However, she said that these funds will end in 2018. Future federal funding may be unavailable as the state continues to prohibit the exchange of patient data with other states.

Public Remarks

The acting chair called for any public remarks. None were presented.

Announcements

The acting chair called for any announcements. None were made.

Date of Next Meeting

In the absence of Chair Bowen, Mr. Macdonald said that he would develop potential meeting dates, times and locations for the foundation board's annual meeting. He said that it would be centrally located for ease of travel and possibly tied into a major healthcare or law enforcement conference.

Adjournment

Hearing no further business, the acting chair called for the adjournment of the PDMP Foundation Board of Directors meeting. The meeting was adjourned at 6:55 p.m., Thursday May 11, 2017.