

**CONTROLLED SUBSTANCES BOARD
TELECONFERENCE MEETING MINUTES
DECEMBER 10, 2009**

PRESENT VIA TELEPHONE: Yvonne Bellay, DVM; Timothy Boehmer, R. Ph.; Doug Englebert, R. Ph.; Cecelia Hillard, PhD.; Darold Treffert, MD

PRESENT: Robert Block (arrived 9:48 a.m.)

STAFF: Tom Ryan, Bureau Director; Michael Berndt, Legal Counsel (portion of meeting); Karen Rude-Evans, Bureau Assistant

GUESTS: none

CALL TO ORDER

Darold Treffert, Board Chair, called the meeting to order at 9:32 a.m. A quorum of 5 was confirmed.

APPROVAL OF AGENDA

MOTION: Cecelia Hillard moved, seconded by Timothy Boehmer, to approve the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 10, 2009

Corrections:

- On page 4, change the last line to read “ THE NEXT MEETING WILL BE HELD DECEMBER 10, 2010”

MOTION: Cecelia Hillard moved, seconded by Yvonne Bellay, to approve the Minutes of September 10, 2009, as corrected. Motion carried unanimously.

ADMINISTRATIVE REPORT

Report on Board Chair and Vice Chair Training – December 3-4, 2009

Tom Ryan said the evaluations received indicated the training was a positive event and time well spent. Tim Boehmer questioned if this training could be opened up to additional board members. Darold Treffert stated that he would be agreeable to allowing another board member to attend this training in the future if the incoming chair or vice chair is unable to attend. Tom Ryan will forward this request to the Division Administrator.

SPECIAL USE AUTHORIZATION PERMIT REPORT

Yvonne Bellay reported that there have been dog trainers who have requested amounts of drugs that exceed the standard quantities on the SUA permit application. Recently there was an application requesting quantities of drugs that far exceeded the normal requests. The recommendation was for the trainer to submit an application for the standard quantities and to seek approval for the additional quantities from the DEA. If the DEA approves the larger quantities, the applicant should then submit an amended SUA permit application the Department of Regulation and licensing.

At the September 10, 2009 meeting the Board discussed the issues that some permit holders fail to renew their permit after it expires, incomplete applications are received and purchases that exceed the amount allowed in the SUA. Several possible changes were suggested, including extending the period for which the SUA permit is authorized, modifying the fee structure to differentiate between new and renewal permits, and adding incentives to keep the license up-to-date.

Darold Treffert also asked about the status of hiring legal counsel for the CSB. Tom Ryan said the two vacant legal counsel positions were posted yesterday and the intention is to these filled as quickly as possible. In the interim, Michael Berndt, DRL General Counsel, will be filling in as legal counsel for the Board. Tom Ryan asked the Chair to keep in close contact regarding Board needs in this regard.

REPORT FROM NATIONAL ASSOCIATION OF STATE CONTROLLED SUBSTANCES AUTHORITIES (NASCSA) ANNUAL CONFERENCE

Robert Block reviewed his report on the NASCSA annual conference held October 20-23 in San Diego, California. Mr. Block stated the meeting was worthwhile and very informative. There

was a wide range of topics presented with an emphasis on prescription monitoring programs, pain relief versus abuse and addiction and state efforts to control and monitor pseudoephedrine.

2009 DRAFT REPORT TO THE LEGISLATURE

The Board reviewed the annual report.

MOTION: Robert Block moved, seconded by Cecelia Hillard, to approve the Controlled Substances Board 2009 Annual Report and to send it to the Legislature. Motion carried unanimously.

SCOPE STATEMENT RELATING TO SUA PERMIT REQUIREMENTS AND SCHEDULING OF LISDEXAMFETAMINE

MOTION: Robert Block moved, seconded by Yvonne Bellay, to approve the scope statement relating to SUA permit requirements and scheduling of lisdexamfetamine, with the addition of “section 961.335(8)” under the heading Statutory Authority. Motion carried unanimously.

ASSEMBLY BILL 227 RELATING TO THE CREATION OF A PRESCRIPTION DRUG MONITORING PROGRAM

The Board is on record in support of this legislation. The bill is expected to be enacted, and then grant applications will be made. The Pharmacy Examining Board will be charged with rule-writing authority.

SENATE BILL 368 AND ASSEMBLY BILL 554 RELATING TO THE MEDICAL USE OF MARIJUANA

The Board had a lengthy discussion on these bills.

MOTION: Timothy Boehmer moved, seconded by Cecelia Hillard, to have the CSB go on record in opposition of Senate Bill 368 and Assembly Bill 554 relating to the medical use of marijuana. Doug Englebert abstained. Motion carried.

MOTION: Timothy Boehmer moved to go on record in support of the concept of medical marijuana but that SB 368 and AB 554 do not adequately address the concerns of the CSB. Motion failed for lack of a second.

MOTION: Timothy Boehmer moved, seconded by Cecelia Hillard, to authorize Robert Block to testify at the public hearing on December 15, 2009, against SB 368 and AB 554 and to carry on active discussions with outside individuals and groups and regarding SB 368 and AB 554. Motion carried unanimously.

Robert Block will edit his written testimony and will review it with Darold Treffert prior to the public hearing. Tom Ryan will distribute the testimony to the remaining board members; however they will not have an opportunity to comment due to the restrictions imposed by the open meetings law.

ASSEMBLY BILL 186 RELATING TO SALVINORIN A

This item was informational as no action has occurred at this time.

STATE COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE REPORT

Doug Englebert had no report as the meeting scheduled for yesterday was cancelled due to the winter storm.

CONTROLLED SUBSTANCES THEFT AND LOSS REPORTS

This report was informational.

INFORMATIONAL ITEMS

The Board noted the informational items. The 2010 meeting dates are:

- **March 4** (at 9:30)
- **June 17** (at 9:30)
- **September 9** (at 9:30)
- **December 16** (at 9:30)

PUBLIC COMMENTS

None

ADJOURNMENT

MOTION: Robert Block moved, seconded by Cecelia Hillard, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:44 a.m.