

RESOLUTION NUMBER: D- 05

REFERRED TO: Reference Committee on Legislative Activities and Public Relations

SUBJECT: Some SC Licensed Physicians should have exemptions to the legislatively mandated singular 2-hour Controlled Substances CME requirement

SUBMITTED BY: Robert T. Ball Jr, MD MPH FACP and F. Cleave Ham MD

1 **WHEREAS;** it is considered beneficial to patient care that many SC-licensed
2 physicians who see patients (either in person or via telemedicine), and have a DEA license
3 authorizing them to prescribe Controlled Substances, or who are involved in counseling
4 patients on Controlled Substances but do not prescribe Controlled Substances (and therefore
5 may or may not have a DEA number), are required to take an approved 2-hour Controlled
6 Substances CME course for (re)licensure; and

7 **WHEREAS;** many SC-licensed physicians still practice seeing patients (either in
8 person or via telemedicine), in various settings without a need or requirement to prescribe
9 Controlled Substances or counsel patients on Controlled Substances, and therefore these
10 physicians do not benefit professionally, nor is patient care affected by being required to an
11 approved 2-hour Controlled Substances CME course for (re)licensure, which could be waived
12 by the SC Board of Board of Medical Examiners for these physicians during the (re)licensure
13 application process; and

14 **WHEREAS;** many SC-licensed physicians teach or perform administrative duties and
15 do not actually see patients at all, much less prescribe Controlled Substances, and therefore
16 these physicians do not benefit professionally, nor is patient care affected by being required to
17 take an approved 2-hour Controlled Substances CME course; and

18 **WHEREAS;** many SC-licensed physicians (e.g., retired) do not see any patients,
19 prescribe Controlled Substances, or counsel patients on Controlled Substances but still prefer
20 to keep an active license for various personal reasons, and therefore do not benefit
21 professionally, nor is patient care affected by being required to take an approved 2-hour
22 Controlled Substances CME course; and

23 **WHEREAS;** some licensed physicians in S.C. in the categories described herein feel
24 unduly burdened by this singular 2-hour opioid CME legislatively mandated requirement,
25 which is not beneficial to them professionally, nor does it affect patient care in their particular
26 professional circumstances, and this time could be better spent on other more pertinent CME
27 courses and training if this requirement for them were deleted; therefore, be it

28 **RESOLVED;** that the South Carolina Medical Association advocate to the SC
29 Legislature to amend the SC Code of Laws § 40-47-40; Regs. 81-95 to exempt the 2-hour
30 legislatively mandated opioid CME training requirement for physicians who do not see
31 patients, do not prescribe Controlled Substances, and do not counsel patients Controlled
32 Substances; and

33 **RESOLVED;** that the South Carolina Medical Association advocate to the South
34 Carolina Board of Medical Examiners for development of a medical exemption waiver that
35 may be requested during the (re)licensure application process for physicians who see patients
36 (either in person or via telemedicine), but do not prescribe Controlled Substances or counsel
37 patients on Controlled Substances.

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