

AMPNH Zoom Call Minutes 3/14/2022 7:45pm

Attendees:

Tanya Lawson, Zubin Batlivala, Jennifer Fleming, Ericka McCarron, Mark Ballentyne, Rick Fradette, Julie Graham, Amy Margolis, Sarah Proulx

Proposed Agenda:

1. Fredette- presentation and short Q&A

- How to proceed? Tanya updated Rick regarding our current status
- Should we proceed with writing a letter of complaint regarding the BOP – did they go out of their scope of practice? Do we have any legal ground if they did go out of their scope? Rick stated that he would need to do some research (above and beyond this Zoom call). Preliminarily he fully believes that they were out of their jurisdiction, exceeding their scope of practice with the inspections of our facilities in 2021. He stated that he saw a document from Aug 2019 that the BOM and BON requesting the BOP conduct the inspections on their behalf for them to oversee the medications, specifically regarding reconstituting and compounding medications. If we call them on their behavior, the BOP will just go
- On his last investigation, he determined that the BOM was unable to nondelegatable duty this to the BOP which will just force them to go to legislation for get the authority.
- Rick does not think we will accomplish anything by “suing” the inspectors. Rit of prohibition (which would prohibit the inspections). Cons: It’s expensive, unknown whether it would be successful, There is NO civil liability in his opinion. Pros: we MIGHT be able to get some kind of order that would restrict their jurisdiction.
- His opinion is that this is a POLITICAL issue. He believes that Gov. Sununu, The Executive Counsel, Ted Gasis (executive counsel), Jeb Bradley would all be individuals that we should be lobbying by being politically active as opposed to a lawsuit.
- Tanya asked about the possibility and odds of success of writing a letter to the governor to explain what has occurred? If yes, would you be willing to help us draft the letter. Rick states that he would be willing to draft a letter, but would need to do some research prior to doing so. He would want to be able to cite confidently that the inspector had
- Rick asked if we have spoken to Jim Potter (from the NH Medical Society) and the BON? We have not yet spoken to Jim Potter. Jim was a good resource in the case of the Remicade Suit.
- Multi-use Botox. Can they dictate that we not use this medication “off-label”. Rick has an opinion specifically on this issue (he hired an expert in May 2021), former BOP president
- Rick believes that Abbvie should be actively helping us with the multi-use issue.

- Rick believes that the fact the bill went to study unanimously is a great thing and works in our favor.
- As it relates to the various licensing boards: Rick states that the BOP has the most problem (track record and history) that has had the most issues with legislation historically.
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2. After Fredette finishes, planning with the group on how to formally proceed.

- Tanya asked if we were all in agreeance that we want to move forward with having Rick move forward with crafting a letter to the Governor (a formal letter of complaint).
- We all agree that Abbvie should be taking some ownership to assist us. Potentially reach out to other providers across the country to warn them that this is a real problem.
- Zubin asked if we could reach out to AMSPA directly to see what their position is and let them know what's happening to see if there is some room for assistance.
- Mark agrees that he will continue to be the contact with Fradette to streamline communication with him.

3. Lobbyist Update

- Our Lobbyist will reach out to the legislators at the end of March to get a pulse on who, what we should be doing
- Fundraiser Idea: we should get companies to donate so that we Senate session ends late June. A10 recommends that we host a "thank you" to the legislators that assisted us with the current Bill. Lobbyist
 - Senator Ward is having reception next week. She was the only Rep that showed up for the hearing to register her vote against. Tuesday, March 22 in Concord 4:30-5:30.
 - Is anyone's Clinic having an event that we can invite legislators to? This is a great opportunity to keep in touch and introduce legislators to our practices.
 - We should start planning a reception to show appreciation to the legilators that assisted us in our fight against the bill. This would be ideally planned for August (possibly). Potential locations: Bedford Village Inn or Labelle.

4. Website Update

- Requested changes have been made.
- It's important for each of the committees that were created on the 2/8/22 Zoom Call to get moving on the content – code of ethics/safety etc.

5. Membership Update

- Current Membship "tab" on AMPNH website still states "coming soon". We need to work on Membership content, cost, what it specifically gets members for their money. Should we entertain different levels of membership (Do we even have enough services to support this)

6. Event Planning

-Tanya will send out an update on upcoming events (fundraisers,

7. Financial Update

-Mark asked what the timeline is regarding getting the Tax Id

What is the current status of our bank account? Mark will get an updated balance and get it to the group.

8. Q&A