



August 2, 2016

The Honorable Patrick Morrisey
Attorney General
State of West Virginia
State Capitol Complex
Bldg. 1, Room E-26
Charleston, WV 25305

Dear Attorney General Morrisey:

On behalf of the physician and medical student members of the American Medical Association (AMA), I want to thank you for taking the time to meet with me while you were in Chicago and discuss ways to work more closely with the medical community. Based on the initiatives you discussed and your openness to consider new ideas, I am confident that there will be ample opportunities for us to work together. I look forward to continuing our conversation.

I first want to specifically commend your efforts to help reverse the opioid epidemic that has ravaged West Virginia. It is a tragic understatement to say that generations of families have been affected by opioid misuse, overdose and death. The AMA shares your belief that primary prevention and public education are key components of a public health plan to halt the epidemic and protect future generations.

To that end, I would like to offer a few comments on the “Suggested Best Practices for Prescribing Opioids in West Virginia” (Best Practices). I greatly appreciate your strong support for increasing access to naloxone and urging insurers to cover non-opioid and non-pharmacological treatments for pain. I would further encourage that affordable and accessible treatment for substance use disorders not be constrained by arbitrary limits by any public or private payer. This includes coverage for naloxone and medication assisted treatment (MAT) for opioid use disorders.

One final suggestion is to continue your work with the West Virginia State Medical Association, the state medical board and other stakeholders to further develop these Best Practices in such a way that with additional revisions, the Best Practices could be publicly supported and promoted by all stakeholders. With many different groups in West Virginia and elsewhere publishing their own “best practices,” “recommendations,” and “guidelines,” we are concerned by the potential for mixed messages. It would be a great example for the country if all stakeholders in West Virginia could coalesce around a consistent standard that could be promoted throughout the state.

As I promised, I also wanted to provide a few thoughts about the National Governors Association (NGA) recent publications on best practices and policy recommendations on the opioid epidemic. The AMA has worked with the NGA for many years on this issue, and we are very proud of the fact that the NGA has adopted a public health focus – rather than one strictly based on law enforcement. The newest document,

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“Finding Solutions to the Prescription Opioid and Heroin Crisis: A Road Map for States,” contains many excellent policy options that have been debated – and enacted – across the country, including in West Virginia. The AMA supports many of those recommendations, and I would be happy to have my staff engage in a detailed discussion, but let me focus on one area that very few states have addressed.

As you know in West Virginia, there has been no shortage of legislative and regulatory action to affect prescribing behaviors as one strategy to reverse the epidemic. What is missing, however, is a thorough evaluation of these new policies – or existing laws that are designed to help provide treatment for substance use disorders. It is imperative that these laws be evaluated to determine if they are having their intended effect to improve patient care and reduce the harms from opioid misuse.

Finally, please know that the AMA would be happy to continue this discussion and others that affect patients. If there is an opportunity where you believe the AMA could contribute to a discussion among your fellow attorneys general on the opioid epidemic or other issues, please let us know. When those opportunities arise, please reach out directly to Daniel Blaney-Koen, JD, Senior Legislative Attorney, Advocacy Resource Center at daniel.blaney-koen@ama-assn.org or (312) 464-4954.

Thank you for your efforts in helping West Virginia’s patients.

Sincerely,

A handwritten signature in black ink, appearing to read "James L. Madara". The signature is fluid and cursive, with a prominent loop at the end.

James L. Madara, MD

cc: Brian O. Foy
Richard A. Deem