

Special Board Meeting – Administratively Approved Public Session - Thursday, Jan 19 @ approximately 10:15am via Zoom; open to the public via conference call line.

Attendance: Chair Joanna Freedman, PT, Jenny Anderson, RN, BSN, MBA, Dr. Ryan Martin, ND, and Dr. Zia Robles-Hernandez, ND and Mary-Beth Baptista, Executive Director

Board deliberation and vote whether to remove the following section of OAR 850-060-0223 Formulary Compendium Exclusions: (d) Buprenorphine in any formulation for diagnosis for opioid use disorder immediately through a temporary (emergency) rule making.

Factors related to emergency rule making:

- The intent of passing the limitation on buprenorphine in OAR 850-060-0223 was to prevent NDs from circumventing the X waiver requirement. The Board also specifically stated their intent to remove the restriction when the federal government removed the X waiver requirement.
- On December 29, 2022, with the signing of the Consolidated Appropriations Act of 2023 (the Act), Congress eliminated the “DATA-Waiver Program.” The elimination of the X-Waiver will increase access to buprenorphine for those in need. The elimination of the X-waiver is effective immediately.
- The consequence of not adopting this rule change immediately is Oregonians will die. The United States is suffering tens of thousands of opioid-related drug poisoning deaths every year. Oregon, like the rest of the US, is experiencing an opioid crisis.
- Failure to take immediate action to increase the number of practitioners to undertake opioid use disorder treatment (OUD) would result in the average number Oregonians dying of opioid overdose will remain the highest in the country.
- The Board intends to go through permanent rule making and solicit public comment prior to the close of the 6-month temporary rule.