

ILLINOIS STATE MEDICAL SOCIETY

**Resolution 09.2019-06
(A-20)**

Introduced by: A. Jay Chauhan, DO, ISMS Member

Subject: Removal of the Requirement of Controlled Substance Licensure for Practitioners Who Do Not Include Them in the Scope of Their Practice

Referred to: Council on Education & Health Workforce

1 Whereas, the opioid crisis has resulted in a dramatic decrease in the number of
2 controlled substance prescriptions; and

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4 Whereas, a subset of physicians and surgeons have abandoned the practice of
5 prescribing controlled substances; and

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7 Whereas, it is common for state licensure, hospital privileges, insurance provider
8 networks, and others to require a physician to maintain a controlled substance license
9 (DEA and state control substance license) irrespective of his or her prescribing
10 habits/limitations; and

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12 Whereas, on September 5, 2019, the Chicago Medical Society affirmed that
13 maintaining a controlled substances license (DEA and state controlled substances
14 license) should not be a requirement for hospital privileges and acceptance into
15 insurance plan networks for those physicians who elect not to include the prescribing of
16 controlled substances/medications within their scope of medical practice; and voted to
17 support legislation to remove such requirement; therefore, be it

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19 RESOLVED, that the Illinois State Medical Society (ISMS) support the right of
20 physicians not to maintain a controlled substances license when those physicians choose
21 not to include the prescribing of controlled substances/medications within their scope of
22 medical practice; and be it further

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24 RESOLVED, that ISMS consider introducing legislation that removes the
25 requirement to maintain a controlled substances license for physicians who elect not to
26 include the prescribing of controlled substances/medications within their scope of
27 medical practice; and be it further

1 RESOLVED, that ISMS consider forwarding this resolution to the American
2 Medical Association (AMA) for policy and action.

Fiscal Note:

N/A

Existing ISMS policy related to this issue:

It is the policy of ISMS to encourage the Illinois Medical Licensing and Disciplinary Boards to develop a policy on the treatment of pain which would remove the fear of discipline for physicians who prescribe controlled substances appropriately, with adequate documentation, when caring for the terminally ill or those with intractable pain. (HOD 2000; Last BOT Review 2013)

ISMS supports the use of e-prescriptions for Schedule II controlled substances. (HOD 2013; Last BOT Review 2014; Reaffirmed 2019)

It is the policy of the Society to urge the Illinois Department of Financial and Professional Regulation (IDFPR, formerly IDPR) to prevent utilization of investigative techniques whereby investigation is done without existing complaint or evidence which would indicate practices that might violate the Medical Practice Act and to continue to educate physicians in the proper prescription of controlled substances and in IDFPR investigative practices. (HOD 1998)

ISMS supports the full electronic prescribing of all prescriptions, without additional cumbersome electronic verification, including Schedule 2-5 controlled substances, eliminating the need for “wet signed” paper prescriptions and faxes for specific classes of prescriptions. (HOD 2017; Reaffirmed 2019)

It is the policy of ISMS to allow pharmacies to share databases and information, regardless of pharmacy ownership, regarding a patient’s controlled substance medication prescriptions and to share that information with the prescribing physicians. (HOD 2002:Reaffirmed 2019)