

SENATE BILL REPORT

SB 6592

As Reported By Senate Committee On:
Health & Long-Term Care, February 6, 1998

Title: An act relating to the administration of controlled substances to persons experiencing intractable pain.

Brief Description: Controlling intractable pain.

Sponsors: Senator Prentice.

Brief History:

Committee Activity: Health & Long-Term Care: 2/3/98, 2/6/98 [DPS].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 6592 be substituted therefor, and the substitute bill do pass.

Signed by Senators Deccio, Chair; Wood, Vice Chair; Benton, Fairley, Franklin, Strannigan and Wojahn.

Staff: Rhoda Jones (786-7198)

Background: Intractable pain is persistent, unrelenting pain which has no successful treatment or cure. In most cases, this pain decreases a person's ability to socialize, work, cope with daily activities and otherwise function normally.

This type of pain may respond to opioids. If given in adequate doses, these drugs may keep the patient continuously comfortable. These drugs also have the potential for addiction. Physicians who prescribe these drugs express apprehensions about challenges by state disciplinary authorities when prescribing opioid analgesics for indicated medical treatment of pain patients.

The Department of Health has guidelines for management of pain which includes opioid use.

Summary of Substitute Bill: A physician may prescribe or administer controlled substances to a person in the course of treatment for diagnosed intractable pain.

A physician must not be subject to disciplinary action by the Department of Health or the Medical Quality Assurance Commission, nor subject to criminal prosecution for prescribing or administering controlled substances for intractable pain.

Physicians are not authorized to use these substances on patients being treated for chemical dependency, or on patients whom the physician knows are using them for non-therapeutic reasons.

Physicians may get their licenses revoked, denied or suspended for failure to keep accurate records of purchases and disposals of controlled substances, or if found writing false or fictitious prescriptions for controlled substances, or for prescribing controlled substances in violation of the statute.

The protections are extended to anyone who has authority to prescribe, administer, order or dispense the drugs in this act. Schedule I drugs are not included in the treatment of intractable pain.

Substitute Bill Compared to Original Bill: The substitute bill extends the protections to anyone who has authority to prescribe, administer, order or dispense the drugs in this act. There is language clarifying that Schedule I drugs are not included in the treatment of intractable pain.

Appropriation: None.

Fiscal Note: Not requested

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: This is necessary because physicians are sometimes reluctant to prescribe long-term opiates for treating intractable pain.

Testimony Against: (Concerns): DOH guidelines currently permit the use of opiates for intractable pain.

Testified: Susie Tracy, Washington State Medical Association; Gary Franklin, L&I; Pat Brown, DOH; Annette Sletterold, Washington Chapter, Arthritis Foundation; Dr. Mohammed Said (pro); Cris Salsbury, WICPA (pro); Mary Anne Ross for Senator Prentice (pro); Gail McGaffick, Home Care Association of Washington/Washington State Hospice Organization (pro); Melanie Stewart, Washington State Podiatric Medical Association (pro).