
HOUSE JOINT MEMORIAL 4037

State of Washington 59th Legislature 2006 Regular Session

By Representatives Nixon, O'Brien, Darneille, Tom, McDermott,
Jarrett, Roberts, Schual-Berke and Moeller

Read first time 01/24/2006. Referred to Committee on Health Care.

1 TO THE HONORABLE GEORGE W. BUSH, PRESIDENT OF THE UNITED STATES,
2 AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED:

5 We, your Memorialists, the Senate and House of Representatives of
6 the State of Washington, in legislative session assembled, respectfully
7 represent and petition as follows:

8 WHEREAS, Uncontrolled pain and other distressing symptoms are the
9 primary concerns and greatest fears of patients facing serious illness;
10 and

11 WHEREAS, More than 90 percent of the pain associated with severe
12 illness can be relieved if the treating physicians adhere to good
13 medical practice and, if necessary, seek assistance from experts in
14 pain management or palliative care; and

15 WHEREAS, Physicians' fears of regulatory oversight and disciplinary
16 action related to their use of pain management medications have been
17 found to be a barrier for many physicians to prescribe pain management
18 medications as necessary to control a patient's pain; and

19 WHEREAS, The State of Washington's laws include a Medical Practice

1 Act which specifically recognizes that pain management is a part of
2 accepted medical practice; and

3 WHEREAS, The State of Washington has developed and adopted
4 guidelines for the management of pain in order to acquaint
5 practitioners with recognized national standards in the field of pain
6 management; and

7 WHEREAS, The Drug Enforcement Agency's role and expertise is to
8 combat criminal substance abuse and diversion, not to dictate to
9 physicians what constitutes acceptable medical practice for seriously
10 ill and dying patients;

11 NOW, THEREFORE, Your Memorialists respectfully request that
12 Congress not interfere with a state's right to define legitimate
13 medical practice, and not expand the Drug Enforcement Agency's
14 regulatory authority over a physician's best medical judgment to
15 prescribe necessary pain management medications in chronic and end-of-
16 life care.

17 BE IT RESOLVED, That copies of this Memorial be immediately
18 transmitted to the Honorable George W. Bush, President of the United
19 States, the President of the United States Senate, the Speaker of the
20 House of Representatives, and each member of Congress from the State of
21 Washington.

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