

SHB 2876 - H AMD 1023

By Representative Moeller

ADOPTED 02/10/2010

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 18.22 RCW
4 to read as follows:

5 (1) By December 1, 2010, the board shall repeal its rules on pain
6 management, WAC 246-922-510 through 246-922-540.

7 (2) By June 30, 2011, the board shall adopt new rules on chronic,
8 noncancer pain management that contain the following elements:

9 (a) Dosing criteria, including a dosage amount that must not be
10 exceeded unless a podiatric physician and surgeon first consults with
11 a practitioner specializing in pain management;

12 (b) Guidance on when to seek specialty consultation and ways in
13 which electronic specialty consultations may be sought;

14 (c) Guidance on tracking clinical progress by using assessment
15 tools focusing on pain interference, physical function, and overall
16 risk for poor outcome; and

17 (d) Guidance on tracking the use of opioids.

18 (3) The board shall consult with the agency medical directors'
19 group, the department of health, the University of Washington, and the
20 largest professional association of podiatric physicians and surgeons
21 in the state.

22 (4) The rules adopted under this section do not apply:

23 (a) To the provision of palliative, hospice, or other end-of-life
24 care; or

25 (b) To the management of acute pain caused by an injury or a
26 surgical procedure, except to the extent that special requirements are
27 needed for opioid-dependent patients experiencing such acute pain.

28 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.32 RCW
29 to read as follows:

1 (1) By June 30, 2011, the commission shall adopt new rules on
2 chronic, noncancer pain management that contain the following elements:

3 (a) Dosing criteria, including a dosage amount that must not be
4 exceeded unless a dentist first consults with a practitioner
5 specializing in pain management;

6 (b) Guidance on when to seek specialty consultation and ways in
7 which electronic specialty consultations may be sought;

8 (c) Guidance on tracking clinical progress by using assessment
9 tools focusing on pain interference, physical function, and overall
10 risk for poor outcome; and

11 (d) Guidance on tracking the use of opioids.

12 (2) The commission shall consult with the agency medical directors'
13 group, the department of health, the University of Washington, and the
14 largest professional association of dentists in the state.

15 (3) The rules adopted under this section do not apply:

16 (a) To the provision of palliative, hospice, or other end-of-life
17 care; or

18 (b) To the management of acute pain caused by an injury or a
19 surgical procedure, except to the extent that special requirements are
20 needed for opioid-dependent patients experiencing such acute pain.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.57 RCW
22 to read as follows:

23 (1) By December 1, 2010, the board shall repeal its rules on pain
24 management, WAC 246-853-510 through 246-853-540.

25 (2) By June 30, 2011, the board shall adopt new rules on chronic,
26 noncancer pain management that contain the following elements:

27 (a) Dosing criteria, including a dosage amount that must not be
28 exceeded unless an osteopathic physician and surgeon first consults
29 with a practitioner specializing in pain management;

30 (b) Guidance on when to seek specialty consultation and ways in
31 which electronic specialty consultations may be sought;

32 (c) Guidance on tracking clinical progress by using assessment
33 tools focusing on pain interference, physical function, and overall
34 risk for poor outcome; and

35 (d) Guidance on tracking the use of opioids, particularly in the
36 emergency department.

1 (3) The board shall consult with the agency medical directors'
2 group, the department of health, the University of Washington, and the
3 largest association of osteopathic physicians and surgeons in the
4 state.

5 (4) The rules adopted under this section do not apply:

6 (a) To the provision of palliative, hospice, or other end-of-life
7 care; or

8 (b) To the management of acute pain caused by an injury or a
9 surgical procedure, except to the extent that special requirements are
10 needed for opioid-dependent patients experiencing such acute pain.

11 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.57A RCW
12 to read as follows:

13 (1) By December 1, 2010, the board shall repeal its rules on pain
14 management, WAC 246-854-120 through 246-854-150.

15 (2) By June 30, 2011, the board shall adopt new rules on chronic,
16 noncancer pain management that contain the following elements:

17 (a) Dosing criteria, including a dosage amount that must not be
18 exceeded unless an osteopathic physician's assistant first consults
19 with a practitioner specializing in pain management;

20 (b) Guidance on when to seek specialty consultation and ways in
21 which electronic specialty consultations may be sought;

22 (c) Guidance on tracking clinical progress by using assessment
23 tools focusing on pain interference, physical function, and overall
24 risk for poor outcome; and

25 (d) Guidance on tracking the use of opioids, particularly in the
26 emergency department.

27 (3) The board shall consult with the agency medical directors'
28 group, the department of health, the University of Washington, and the
29 largest association of osteopathic physician's assistants in the state.

30 (4) The rules adopted under this section do not apply:

31 (a) To the provision of palliative, hospice, or other end-of-life
32 care; or

33 (b) To the management of acute pain caused by an injury or a
34 surgical procedure, except to the extent that special requirements are
35 needed for opioid-dependent patients experiencing such acute pain.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 18.71 RCW
2 to read as follows:

3 (1) By December 1, 2010, the commission shall repeal its rules on
4 pain management, WAC 246-919-800 through 246-919-830.

5 (2) By June 30, 2011, the commission shall adopt new rules on
6 chronic, noncancer pain management that contain the following elements:

7 (a) Dosing criteria, including a dosage amount that must not be
8 exceeded unless a physician first consults with a practitioner
9 specializing in pain management;

10 (b) Guidance on when to seek specialty consultation and ways in
11 which electronic specialty consultations may be sought;

12 (c) Guidance on tracking clinical progress by using assessment
13 tools focusing on pain interference, physical function, and overall
14 risk for poor outcome; and

15 (d) Guidance on tracking the use of opioids, particularly in the
16 emergency department.

17 (3) The commission shall consult with the agency medical directors'
18 group, the department of health, the University of Washington, and the
19 largest professional association of physicians in the state.

20 (4) The rules adopted under this section do not apply:

21 (a) To the provision of palliative, hospice, or other end-of-life
22 care; or

23 (b) To the management of acute pain caused by an injury or a
24 surgical procedure, except to the extent that special requirements are
25 needed for opioid-dependent patients experiencing such acute pain.

26 NEW SECTION. **Sec. 6.** A new section is added to chapter 18.71A RCW
27 to read as follows:

28 (1) By June 30, 2011, the commission shall adopt new rules on
29 chronic, noncancer pain management that contain the following elements:

30 (a) Dosing criteria, including a dosage amount that must not be
31 exceeded unless a physician assistant first consults with a
32 practitioner specializing in pain management;

33 (b) Guidance on when to seek specialty consultation and ways in
34 which electronic specialty consultations may be sought;

35 (c) Guidance on tracking clinical progress by using assessment
36 tools focusing on pain interference, physical function, and overall
37 risk for poor outcome; and

1 (d) Guidance on tracking the use of opioids, particularly in the
2 emergency department.

3 (2) The commission shall consult with the agency medical directors'
4 group, the department of health, the University of Washington, and the
5 largest professional association of physician assistants in the state.

6 (3) The rules adopted under this section do not apply:

7 (a) To the provision of palliative, hospice, or other end-of-life
8 care; or

9 (b) To the management of acute pain caused by an injury or a
10 surgical procedure, except to the extent that special requirements are
11 needed for opioid-dependent patients experiencing such acute pain.

12 NEW SECTION. **Sec. 7.** A new section is added to chapter 18.79 RCW
13 to read as follows:

14 (1) By June 30, 2011, the commission shall adopt new rules on
15 chronic, noncancer pain management that contain the following elements:

16 (a) Dosing criteria, including a dosage amount that must not be
17 exceeded unless an advanced registered nurse practitioner or certified
18 registered nurse anesthetist first consults with a practitioner
19 specializing in pain management;

20 (b) Guidance on when to seek specialty consultation and ways in
21 which electronic specialty consultations may be sought;

22 (c) Guidance on tracking clinical progress by using assessment
23 tools focusing on pain interference, physical function, and overall
24 risk for poor outcome; and

25 (d) Guidance on tracking the use of opioids, particularly in the
26 emergency department.

27 (2) The commission shall consult with the agency medical directors'
28 group, the department of health, the University of Washington, and the
29 largest professional associations for advanced registered nurse
30 practitioners and certified registered nurse anesthetists in the state.

31 (3) The rules adopted under this section do not apply:

32 (a) To the provision of palliative, hospice, or other end-of-life
33 care; or

34 (b) To the management of acute pain caused by an injury or a
35 surgical procedure, except to the extent that special requirements are
36 needed for opioid-dependent patients experiencing such acute pain.

1 NEW SECTION. **Sec. 8.** The boards and commissions required to adopt
2 rules on pain management under sections 1 through 7 of this act shall
3 work collaboratively to ensure that the rules are as uniform as
4 practicable."

5 Correct the title.

EFFECT: The striking amendment: (1) Requires the new pain management rules to be adopted by June 30, 2011, instead of December 1, 2010; (2) removes the requirement that the dosing criteria be based on the guidelines developed by the Agency Medical Directors' Group and instead requires that the dosing guidelines include a dosage amount that may not be exceeded without consulting a pain management specialist; (3) exempts end-of-life care from the rules relating to podiatric physicians and surgeons (which makes the rules uniform with the rest of the boards' and commissions' rules); (4) requires that the boards and commissions adopting the rules consult with the largest professional organizations of the professions they regulate (instead of requiring them all to consult with the Washington State Medical Association); and (5) removes the provisions requiring the Optometry Board to adopt pain management rules.

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