
SUBSTITUTE HOUSE BILL 2876

State of Washington 61st Legislature 2010 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Moeller, Green, and Morrell)

READ FIRST TIME 01/26/10.

1 AN ACT Relating to pain management; adding a new section to chapter
2 18.22 RCW; adding a new section to chapter 18.32 RCW; adding a new
3 section to chapter 18.54 RCW; adding a new section to chapter 18.57
4 RCW; adding a new section to chapter 18.71 RCW; adding a new section to
5 18.79 RCW; and creating a new section.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.22 RCW
8 to read as follows:

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

11 (2) By December 1, 2010, the board shall adopt new rules on
12 chronic, noncancer pain management that contain the following elements:

13 (a) Dosing criteria based on the interagency guideline on opioid
14 dosing for chronic noncancer pain developed by the agency medical
15 directors' group;

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

18 (c) Guidance on tracking clinical progress by using assessment

1 tools focusing on pain interference, physical function, and overall
2 risk for poor outcome; and

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

4 (3) The board shall adopt the rules in consultation with the agency
5 medical directors' group, the department of health, the university of
6 Washington, and the Washington state medical association.

7 (4) The rules adopted under this section do not apply to the
8 management of acute pain caused by an injury or a surgical procedure,
9 except to the extent that special requirements are needed for opioid-
10 dependent patients experiencing such acute pain.

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

13 (1) By December 1, 2010, the commission shall adopt new rules on
14 chronic, noncancer pain management that contain the following elements:

15 (a) Dosing criteria based on the interagency guideline on opioid
16 dosing for chronic noncancer pain developed by the agency medical
17 directors' group;

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

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

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

24 (2) The commission shall adopt the rules in consultation with the
25 agency medical directors' group, the department of health, the
26 University of Washington, and the Washington state medical association.

27 (3) The rules adopted under this section do not apply to dentists
28 providing palliative, hospice, or other end-of-life care or to the
29 management of acute pain caused by an injury or a surgical procedure,
30 except to the extent that special requirements are needed for opioid-
31 dependent patients experiencing such acute pain.

32 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.54 RCW
33 to read as follows:

34 (1) By December 1, 2010, the board shall adopt new rules on
35 chronic, noncancer pain management that contain the following elements:

1 (a) Dosing criteria based on the interagency guideline on opioid
2 dosing for chronic noncancer pain developed by the agency medical
3 directors' group;

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

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

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

10 (2) The board shall adopt the rules in consultation with the agency
11 medical directors' group, the department of health, the University of
12 Washington, and the Washington state medical association.

13 (3) The rules adopted under this section do not apply to
14 optometrists providing palliative, hospice, or other end-of-life care
15 or to the management of acute pain caused by an injury or a surgical
16 procedure, except to the extent that special requirements are needed
17 for opioid-dependent patients experiencing such acute pain.

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

20 (1) By December 1, 2010, the board shall repeal its rules on pain
21 management, WAC 246-853-510 through 246-853-540 and 246-854-120 through
22 246-854-150.

23 (2) By December 1, 2010, the board shall adopt new rules on
24 chronic, noncancer pain management that contain the following elements:

25 (a) Dosing criteria based on the interagency guideline on opioid
26 dosing for chronic noncancer pain developed by the agency medical
27 directors' group;

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

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

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

35 (3) The board shall adopt the rules in consultation with the agency
36 medical directors' group, the department of health, the University of
37 Washington, and the Washington state medical association.

1 (4) The rules adopted under this section shall not apply to
2 osteopathic physicians and surgeons or osteopathic physician assistants
3 providing palliative, hospice, or other end-of-life care or to the
4 management of acute pain caused by an injury or a surgical procedure,
5 except to the extent that special requirements are needed for opioid-
6 dependent patients experiencing such acute pain.

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

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

11 (2) By December 1, 2010, the commission shall adopt new rules on
12 chronic, noncancer pain management that contain the following elements:

13 (a) Dosing criteria based on the interagency guideline on opioid
14 dosing for chronic noncancer pain developed by the agency medical
15 directors' group;

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

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

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

23 (3) The commission shall adopt the rules in consultation with the
24 agency medical directors' group, the department of health, the
25 University of Washington, and the Washington state medical association.

26 (4) The rules adopted under this section do not apply to physicians
27 providing palliative, hospice, or other end-of-life care or to the
28 management of acute pain caused by an injury or a surgical procedure,
29 except to the extent that special requirements are needed for opioid-
30 dependent patients experiencing such acute pain.

31 NEW SECTION. **Sec. 6.** A new section is added to chapter 18.79 RCW
32 to read as follows:

33 (1) By December 1, 2010, the commission shall adopt new rules on
34 chronic, noncancer pain management that contain the following elements:

35 (a) Dosing criteria based on the interagency guideline on opioid

1 dosing for chronic noncancer pain developed by the agency medical
2 directors' group;

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

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

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

10 (2) The commission shall adopt the rules in consultation with the
11 agency medical directors' group, the department of health, the
12 University of Washington, and the Washington state medical association.

13 (3) The rules adopted under this section do not apply to advanced
14 registered nurse practitioners and certified registered nurse
15 anesthetists providing palliative, hospice, or other end-of-life care
16 or to the management of acute pain caused by an injury or a surgical
17 procedure, except to the extent that special requirements are needed
18 for opioid-dependent patients experiencing such acute pain.

19 NEW SECTION. **Sec. 7.** The boards and commissions required to adopt
20 rules on pain management under sections 1 through 6 of this act shall
21 work collaboratively to ensure that the rules are as uniform as
22 practicable.

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