SENATE PUBLIC HEALTH, WELFARE & SAFETY
EXHIBIT NO. 29
DATE: 2-18-05
BILL NO. SJ 28

SJ28 – Pain and Symptom Management

Senator Squires – Recommended Talking Points

- I bring before you SJ28 and recommend a do pass.
- This resolution is brought before you so that we can heighten the awareness of and improve pain and symptom management in Montana.
- This resolution asks the legislature to do four things:
  - acknowledge the planned formation of a statewide task force on pain and symptom management in Montana.
  - recognize the role that private funding and in-kind administrative support of the pain management community.
  - Encourage wide dissemination of the report produced by the task force
  - Consider recommendations that come out of the taskforce and its report.

The need to examine pain and symptom management in MT

- Pain and symptom management is a serious public health problem in the U.S. and in Montana.
  - American Pain Foundation has estimated that 50 million people suffer from persistent pain;
  - Pain can interfere with day-to-day activities and diminish a person's physical, psychological, and interpersonal well-being.
- We as a state need to closely examine how we are doing with regard to pain and symptom management. National experts have rated our state's ability to manage pain and we have great need to improve in many areas. On of the proponents will go into further detail.

The process of studying pain management that is proposed

The American Cancer Society and other organizations concerned with pain and symptom management in Montana plan to raise the money to commission a study to assess the:

- Prevalence of intractable pain
- Consumer attitudes and knowledge of pain management
- Acute and chronic pain management treatment practices by health care providers in Montana
- Existing State statutes and regulations relating to pain management therapies in contrast to national standards
- Treatment of pain at the end-of-life
- Sanctioning and use of alternative therapies
- Acute and chronic pain management education by nursing and pharmacy schools in this State
- Acute and chronic pain management needs of both adults and children; and
- Other issues relating to pain management as the advisory council and department deem appropriate.

An Advisory Task Force will be created:

- The advisory task force would be made up of over 20 members from public agencies and private organizations and individuals with experience in or a demonstrated interest in pain and symptom management issues, including representatives of the Montana Department of Public Health and Human Services, charitable societies, physicians, other health care providers, legislators, public assistance providers, advocates for voluntary health organizations, and individuals suffering from acute or chronic pain; and
- The American Cancer Society has offered to create, recruit, and maintain this task forces under the advisement of the Department of Health.

The goal of the task force is to:

- Hold public hearings to gather information from the general public on issues pertaining to pain and symptom management;
- Provide advice and recommendations to the appropriate governing body and departments with respect to pain and symptom management policy, including but not limited to the following:
  - Acute and chronic pain and symptom management treatment practices;
  - State statutes and regulation regarding pain and symptom management;
  - The sanction of and use of alternative therapies regarding pain and symptom management;
  - Acute and chronic pain and symptom management education provided by professional boards or others in the state
  - Acute and chronic pain and symptom management needs of adults, children, and racial and ethnic minority and medically underserved populations
  - Development of a Drug Repository for unused drugs;
  - Treatment of pain at the end-of-life; such other issues relating to pain management as the advisory council deems appropriate.
- Develop recommendations to the licensing boards on integrating pain and symptom management into the customary practice of health care professionals and indemnifying the roles and responsibilities of the various health care professionals in pain and symptom management;
- Develop recommendations to the licensing boards on the duration and content of continuing education requirements for pain and symptom management;
- Study and develop recommendations on improving access to pain and symptom management in racial and ethnic minority and medically underserved populations, including the elderly population.
- Develop recommendations on improving access to pain and symptom management in children and adolescents.
- Provide a biennium report on the activities of the advisory council and make recommendation on the following issues to the Governor, President of the Senate, the Speaker of the House of Representatives, the director of the department of health and human services and the members of the legislature.

The need for the resolution

The palliative care community originally wanted this assessment and advisory task forces to be created by statute because this is such a serious health issue in Montana.

Having the support of DPHHS of further investigating pain and symptom management but not support of housing and maintaining another advisory committee, the palliative care community and advocacy group sought an alternative solution.

There will be a lot of hard work and private and non-profit resources going into this project. This resolution helps recognize these partnerships and reinforces that the legislature will welcome and consider policy recommendations coming out of this process.