

Enrolled
Senate Bill 879

Sponsored by COMMITTEE ON HEALTH POLICY AND PUBLIC AFFAIRS (at the request of Oregon Pain Commission)

CHAPTER

AN ACT

Relating to pain management programs; creating new provisions; and amending ORS 409.500, 409.510, 409.520 and 409.560.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 409.500 is amended to read:

409.500. (1) The Pain Management Commission is established within the Department of Human Services. The commission shall:

[(a) *Develop a pain management practice program for providers;*]

[(b)] (a) Develop pain management recommendations;

[(c)] (b) Develop ways to improve pain management services through research, policy analysis and model projects; and

[(d)] (c) Represent the concerns of patients in Oregon on issues of pain management to the Governor and the Legislative Assembly.

(2) The pain management coordinator of the Department of Human Services shall serve as staff to the commission.

SECTION 2. ORS 409.510 is amended to read:

409.510. The Pain Management Commission shall:

(1) Develop a pain management education program curriculum and update it biennially;

(2) Provide health professional regulatory boards and other health boards, committees or task forces with the curriculum; *[and]*

(3) Work with health professional regulatory boards and other health boards, committees or task forces to develop approved pain management education programs as required; **and** .]

(4)(a) Review the pain management curricula of educational institutions in this state that provide post-secondary education or training for persons required by ORS 409.560 to complete a pain management education program. The commission shall make recommendations about legislation needed to ensure that adequate information about pain management is included in the curricula reviewed and shall report its findings to the Legislative Assembly in the manner required by ORS 192.245 by January 1 of each odd-numbered year.

(b) As used in this subsection, "post-secondary educational institution" has the meaning given that term in ORS 348.105.

SECTION 3. ORS 409.520 is amended to read:

409.520. (1) The Pain Management Commission shall consist of 19 members as follows:

(a) Seventeen members shall be appointed by the Director of Human Services. Prior to making appointments, the director shall request and consider recommendations from individuals and public

and private agencies and organizations with experience or a demonstrated interest in pain management issues, including but not limited to:

- (A) Physicians licensed under ORS chapter 677 or organizations representing physicians;
- (B) Nurses licensed under ORS chapter 678 or organizations representing nurses;
- (C) Psychologists licensed under ORS 675.010 to 675.150 or organizations representing psychologists;
- (D) Physician assistants licensed under ORS [677.495 to 677.545] **chapter 677** or organizations representing physician assistants;
- (E) Chiropractic physicians licensed under ORS chapter 684 or organizations representing chiropractic physicians;
- (F) Naturopaths licensed under ORS chapter 685 or organizations representing naturopaths;
- (G) Clinical social workers licensed under ORS 675.510 to 675.600 or organizations representing clinical social workers;
- (H) Acupuncturists licensed under ORS 677.759;
- (I) Pharmacists licensed under ORS chapter 689;
- (J) Palliative care professionals or organizations representing palliative care professionals;
- (K) Mental health professionals or organizations representing mental health professionals;
- (L) Health care consumers or organizations representing health care consumers;
- (M) Hospitals and health plans or organizations representing hospitals and health plans;
- (N) Patients or advocacy groups representing patients; *[and]*
- (O) Dentists licensed under ORS chapter 679;**
- (P) Occupational therapists licensed under ORS 675.210 to 675.340;**
- (Q) Physical therapists licensed under ORS 688.010 to 688.201; and**
- [(O)]* **(R) Members of the public.**

(b) Two members shall be members of a legislative committee with jurisdiction over human services issues, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives. Both members shall be nonvoting, ex officio members of the commission.

(2) The term of office of each member is four years, but a member serves at the pleasure of the appointing authority. Before the expiration of the term of a member, the appointing authority shall appoint a successor whose term begins on July 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective for the unexpired term.

SECTION 4. ORS 409.560 is amended to read:

409.560. (1) A physician assistant licensed under ORS chapter 677, a nurse licensed under ORS chapter 678, a psychologist licensed under ORS 675.010 to 675.150, a chiropractic physician licensed under ORS chapter 684, a naturopath licensed under ORS chapter 685, an acupuncturist licensed under ORS 677.759, *[or]* a pharmacist licensed under ORS chapter 689, **a dentist licensed under ORS chapter 679, an occupational therapist licensed under ORS 675.210 to 675.340 and a physical therapist licensed under ORS 688.010 to 688.201** must complete one pain management education program described under ORS 409.510.

(2) The Board of Medical Examiners, in consultation with the Pain Management Commission, shall identify by rule physicians licensed under ORS chapter 677 who, on an ongoing basis, treat patients in chronic or terminal pain and who must complete one pain management education program established under ORS 409.510. The board may identify by rule circumstances under which the requirement under this section may be waived.

SECTION 5. Dentists licensed under ORS chapter 679, occupational therapists licensed under ORS 675.210 to 675.340 and physical therapists licensed under ORS 688.010 to 688.201 must complete one pain management education program described under ORS 409.510:

- (1) Within 24 months of the effective date of this 2007 Act; or**
- (2) Within 24 months of the first renewal of the person's license after the effective date of this 2007 Act.**

SECTION 6. ORS 409.560 is added to and made a part of ORS 409.500 to 409.570.

Passed by Senate April 4, 2007

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Secretary of Senate

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President of Senate

Passed by House June 4, 2007

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Speaker of House

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

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Governor

Filed in Office of Secretary of State:

.....M,....., 2007

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Secretary of State