

A-Engrossed
Senate Bill 879

Ordered by the Senate April 2
Including Senate Amendments dated April 2

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

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Pain Management Commission to review pain management component of curriculum of certain educational institutions. Eliminates responsibility of commission to develop pain management program for providers. **Adds dentists, occupational therapists and physical therapists to list of persons to be considered for membership on commission.** Requires dentists, occupational therapists and physical therapists to complete pain management education program.

A BILL FOR AN ACT

1
2 Relating to pain management programs; creating new provisions; and amending ORS 409.500,
3 409.510, 409.520 and 409.560.

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

5 **SECTION 1.** ORS 409.500 is amended to read:

6 409.500. (1) The Pain Management Commission is established within the Department of Human
7 Services. The commission shall:

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

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

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

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

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

16 **SECTION 2.** ORS 409.510 is amended to read:

17 409.510. The Pain Management Commission shall:

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

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

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

23 **(4)(a) Review the pain management curricula of educational institutions in this state that**
24 **provide post-secondary education or training for persons required by ORS 409.560 to complete**
25 **a pain management education program. The commission shall make recommendations about**
26 **legislation needed to ensure that adequate information about pain management is included**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 in the curricula reviewed and shall report its findings to the Legislative Assembly in the
2 manner required by ORS 192.245 by January 1 of each odd-numbered year.

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

5 **SECTION 3.** ORS 409.520 is amended to read:

6 409.520. (1) The Pain Management Commission shall consist of 19 members as follows:

7 (a) Seventeen members shall be appointed by the Director of Human Services. Prior to making
8 appointments, the director shall request and consider recommendations from individuals and public
9 and private agencies and organizations with experience or a demonstrated interest in pain manage-
10 ment issues, including but not limited to:

11 (A) Physicians licensed under ORS chapter 677 or organizations representing physicians;

12 (B) Nurses licensed under ORS chapter 678 or organizations representing nurses;

13 (C) Psychologists licensed under ORS 675.010 to 675.150 or organizations representing psychol-
14 ogists;

15 (D) Physician assistants licensed under ORS [677.495 to 677.545] **chapter 677** or organizations
16 representing physician assistants;

17 (E) Chiropractic physicians licensed under ORS chapter 684 or organizations representing
18 chiropractic physicians;

19 (F) Naturopaths licensed under ORS chapter 685 or organizations representing naturopaths;

20 (G) Clinical social workers licensed under ORS 675.510 to 675.600 or organizations representing
21 clinical social workers;

22 (H) Acupuncturists licensed under ORS 677.759;

23 (I) Pharmacists licensed under ORS chapter 689;

24 (J) Palliative care professionals or organizations representing palliative care professionals;

25 (K) Mental health professionals or organizations representing mental health professionals;

26 (L) Health care consumers or organizations representing health care consumers;

27 (M) Hospitals and health plans or organizations representing hospitals and health plans;

28 (N) Patients or advocacy groups representing patients; [and]

29 **(O) Dentists licensed under ORS chapter 679;**

30 **(P) Occupational therapists licensed under ORS 675.210 to 675.340;**

31 **(Q) Physical therapists licensed under ORS 688.010 to 688.201; and**

32 [(O)] **(R) Members of the public.**

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

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

42 **SECTION 4.** ORS 409.560 is amended to read:

43 409.560. (1) A physician assistant licensed under ORS chapter 677, a nurse licensed under ORS
44 chapter 678, a psychologist licensed under ORS 675.010 to 675.150, a chiropractic physician licensed
45 under ORS chapter 684, a naturopath licensed under ORS chapter 685, an acupuncturist licensed

1 under ORS 677.759, [or] a pharmacist licensed under ORS chapter 689, **a dentist licensed under**
2 **ORS chapter 679, an occupational therapist licensed under ORS 675.210 to 675.340 and a**
3 **physical therapist licensed under ORS 688.010 to 688.201** must complete one pain management
4 education program described under ORS 409.510.

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

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

13 (1) **Within 24 months of the effective date of this 2007 Act; or**

14 (2) **Within 24 months of the first renewal of the person's license after the effective date**
15 **of this 2007 Act.**

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

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