

## **Health & Human Services Monitoring: Pain Patients' Bill of Rights *Past Legislative Action on Pain Management***

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March 2016

### Background

The availability and use of narcotic medications to manage severe and chronic pain has been a topic of discussion in Montana for at least a decade and has bubbled up to the legislative level in different ways over the years.

This briefing paper summarizes legislative activity on prescription drugs and pain management since 2005.

### Pain Management Task Force

The issue of untreated pain and appropriate pain management first came to legislative attention in 2005. That year, then-Sen. Carolyn Squires introduced a resolution to support stakeholder involvement in a planned task force on pain and symptom management.

Senate Joint Resolution 28 noted that the American Cancer Society and others were planning to create a statewide task force on pain management. The resolution:

- encouraged all stakeholders to participate fully in task force activities;
- encouraged the American Cancer Society and task force leadership to widely circulate any report and recommendations stemming from the task force's work; and
- thanked both the American Cancer Society and stakeholders for undertaking the study.

The subsequent Montana Pain Symptom Management Task Force developed 10 recommendations before completing its work. The recommendations largely focused on collecting data on pain incidence, reviewing pain management systems in Montana, and educating providers, licensing boards, professional associations, and the public about effective pain management.

The group's work led to the formation of the Montana Pain Initiative, an ongoing group that has held conferences, worked with state agencies on pain issues, and distributed information to health care providers.

Subsequent Legislative Activity

A search of bills that have been introduced in legislative sessions from 2007 through 2015 showed that legislative action since 2005 has focused primarily on the use and abuse of prescription drugs.

The table below summarizes legislative action on the prescription of controlled substances, including prescription painkillers, from 2007 through 2015.

<b>Year</b>	<b>Bills</b>	<b>Purpose</b>	<b>Action</b>
2007	SB 326	Create a prescription drug registry	Passed the Senate Tabled in House Judiciary
2009	HB 267	Create a prescription drug registry	Tabled in House Human Services
2011	HB 83	Create a prescription drug registry	Passed and signed by governor
	SB 210	Make it a criminal offense to: <ul style="list-style-type: none"><li>• provide false information to obtain a narcotic prescription; or</li><li>• fail to disclose a similar prescription from another provider in the past 30 days</li></ul>	Passed and signed by governor
2013	SJR 20	Interim study of prescription drug abuse	Passed and assigned to the Children and Families Committee
2015	SB 7	Extend and increase provider fee for support of the prescription drug registry	Passed and signed by governor
	SB 8	Allow electronic prescribing of controlled substances	Passed and signed by governor
	SB 9	Allow sharing of health care information with law enforcement under certain circumstances	Failed in the Senate