



New Mexico Pain Management Advisory Council

December 1, 2006

Governor Bill Richardson
Office of the Governor
490 Old Santa Fe Trail, Room 400
Santa Fe, NM 87501

Dear Governor Richardson:

The members of the Pain Management Advisory Council wish to thank you for your dedication to health care in New Mexico, including the important issue of pain management. As you know, the Council includes a wide array of stakeholders, and we appreciate the opportunity to address such an important issue. Please accept this as the first Annual Report of the Governor's Pain Management Advisory Council.

New Mexico was recently recognized by the Pain and Policy Studies Group at the University of Wisconsin's School of Medicine as one of the top 6 states in addressing pain management through public policy. Implementation of the following recommendations will improve our State's standing even further, and make New Mexico truly a leader in this issue. For your consideration:

- ❖ Support the development of a statewide web site for pain management, hosted by the NM Pain Initiative and funded primarily through their grant from the Alliance of State Pain Initiatives. A statement of support from the Governor's Office would encourage state agencies to cooperate in this venture, and state funding would assist development of the site as quickly as possible. New Mexico would be the first state in the nation to have such a broad-reaching public/private resource for pain management.
- ❖ Direct the Regulation and Licensing Department to encourage all state boards that license health care providers to actively consider adopting the Joint Statement for the Management of Chronic Pain. To date, the New Mexico Medical Board, Osteopathic Examiners Board, Board of Nursing, and Board of Pharmacy have all signed onto the Joint Statement; other Boards have not yet responded to several requests from the Council to do so. New Mexico would be the first state in the nation to have all of its health care boards take the shared proactive stance of signing the Joint Statement.
- ❖ Propose that the Legislature provide funding to the Department of Health, or other appropriate state agency, to work with the Council to create and broadcast of a set of public service announcements that will provide direct-to-consumer education about patient rights to (and provider responsibility for) effective pain management.
- ❖ Propose that the Legislature fund curricula on pain management and palliative care for all health-care related educational programs at state-supported universities and colleges.
- ❖ Issue gubernatorial proclamations declaring February 2007 as "Power Over Pain Month" and September 2007 as "Pain Awareness Month." These months are already recognized in other states.
- ❖ Renew existing appointments to the Pain Advisory Council for another year, and add representation from managed care, citizen advocacy groups, the hospice movement, and the Agency on Aging. Consider funding staff support for the Council, to cover at least the costs associated with developing the statewide web site.

Again, thank you very much for your dedication and support, and for your consideration of the Council's recommendations.

Sincerely,

Woodrow Storey, R.Ph.
Chair

Roland Watkins, Ph.D., R.Ph.
Vice-Chair

Appendix One: Summary of the Council's Activities, 2005 - 2006

The Council determined that the goal of this first year would be to establish the framework within which the Council could most positively and effectively interact with the state licensing boards, health care professionals and consumers, and the many other stakeholders who are active in this area. The vision of the Council began with the creation of a state-wide multidisciplinary web site. The web site will be a vibrant, dynamic location for information and education, and will serve many different functions for many different populations:

- ❖ Consumers: We envision an area for consumers that will include the New Mexico Pain Relief Act and the patient's bill of rights, as well as brief introductions to the types of health care providers who treat pain and the different modalities that they use. This area of the web site will have links to the various state boards, so that consumers can search for providers, as well as links to educational sources, advocacy groups, support services, etc.
- ❖ Providers: The provider area of the web site will emphasize the need for multi-modality, coordinated care for patients with pain, and will provide links to educational materials, including possible sources of continuing education, JCAHO and other national pain standards, information about alternative therapies, current research, and to the pain management guidelines or regulations of the various state licensing boards. There will also be information about and a link to the Pharmacy Board's Prescription Monitoring Program, an excellent resource for providers who manage patients with chronic pain.
- ❖ Policy makers and Regulators: An area for those involved in the creation of pain management policy and regulations will have information about national standards, steps taken by other state legislatures and licensing boards, the pros and cons of models used by other states, and other helpful information. In addition, each board will have a spot on the site to provide a brief statement about how its licensees treat pain, and to link to its own web site.

One of the most exciting and encouraging aspects of the envisioned web site is that it will be hosted by the New Mexico Pain Initiative, through a grant received from the Alliance of State Pain Initiatives. The Council believes that this partnership between the private and public sectors is an important step towards our second-year goals of wide-spread diffusion of knowledge about pain management rights, standards, and options, all the while assisting the multitude of grassroots groups in the state to amplify their efforts through expanded networking and collaboration. Current plans call for the web site to be up and accessible to the public by March 2007.

Outreach

The first major outreach effort the Council made was to contact the chair of each board that licenses health care providers, asking for information about any steps they may have taken in the area of pain management and offering the Council's support and assistance in developing guidelines or standards. The Council believes that a single 'one size fits all' set of pain management guidelines or rules would be inappropriate in an age of multi-modality health care; however, we did encourage each board to become co-signatories to the Joint Statement on the Management of Chronic Pain. The Joint Statement, signed by many boards and organizations around the nation, provides a set of general principles about pain management that would be useful for providers in all modalities. Unfortunately, by the date of this report the Council had not received any response from any state board.

The New Mexico Pain Summit 2006

The second major outreach effort made by the Council was to participate in the 2006 New Mexico Pain Summit, held in Albuquerque in late October. Organized by the NM Pain Initiative, the summit was an excellent opportunity to communicate with an array of stakeholders, including representatives from hospice and home health care organizations, pharmacy students, the League of Women Voters, chronic pain support groups, UNM Hospital and School of Medicine, the NM Medical Review Association, and others. Attendees were encouraged by the prospect that many of their ideas and recommendations would find a place in this report, and thereby reach the attention of the Governor. Many of their specific recommendations will be addressed during the creation of the statewide website – these include a 'database' of available continuing education, and sharing of information about public forums, pain support groups, Power Over Pain events, and other educational outreach efforts.

Appendix Two: Joint Statement on the Management of Chronic Pain

Pain management is a significant issue in health care today. Estimates of Americans experiencing pain range from 50 to 75 million persons annually. Thirty to fifty percent of patients undergoing cancer treatment experience pain. The effects of unmanaged pain are serious and wide-ranging and, yet, pain is widely under-treated. Untreated or inadequately treated pain impacts patients' quality of life and increases health care costs. Factors cited in the under-treatment of pain include concerns about causing addiction or tolerance; inadequate knowledge of controlled substances and pain management; fear of scrutiny and discipline by regulatory agencies; inadequate assessment; and patient reluctance to report pain or to take pain medications.

The Joint Commission on Accreditation of Healthcare Organizations (JCAHO) guidelines on pain management state, "Patients have the right to appropriate assessment and management of pain." (Emphasis added). It is, therefore, incumbent upon New Mexico physicians, nurses and pharmacists to work cooperatively and effectively to address the dimensions of pain and to provide maximum pain relief with minimal side effects. Towards that end, and in the interest of public protection, the New Mexico Boards of Medical Practice, Osteopathy, Nursing and Pharmacy issue the following joint statement.

To effectively assist patients in the management of chronic pain, health care professionals should, within their scope of practice:

- Consistently and thoroughly assess all patients for pain. If the patient reports untreated or inadequately treated chronic pain, the pain should be evaluated with a complete history and physical with laboratory and diagnostic testing, if indicated;
- Work collaboratively in a multi-disciplinary approach to develop and implement an individualized, written treatment plan utilizing pharmacologic and non-pharmacologic interventions with specific objectives for the patient;
- Regularly evaluate the effectiveness of the treatment plan, using a consistent, developmentally appropriate, standardized pain scale, and make adjustments as needed;
- Document all aspects of pain assessment and care in a timely, clear, consistent, complete and accurate manner;
- Anticipate and effectively manage side effects of pain medications;
- Provide adequate and culturally appropriate information to patients and family members or caregivers to support patients in making informed decisions and participate in the management of their pain;
- Be aware of the risks of diversion and abuse of controlled substances and take appropriate steps to minimize these risks;
- Recognize individuals with chemical dependency may experience pain requiring medications, including opioids, and may require specialized management;
- Consult with, and refer patients to, other providers when appropriate;
- Develop organization-appropriate and evidence-based policies and protocols for pain management;
- Become and remain knowledgeable regarding effective pain management; and
- Comply with all state and federal laws and regulations regarding prescribing, dispensing, and administering legend drugs, including controlled substances.