

# HOUSE BILL NO. 556

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES GUEST, SCHAAF, THRELKELD, COOPER (155), PAGE, ERVIN, BROWN (Co-sponsors), SCHNEIDER, HOBBS, SCHLOTTACH, DUSENBERG, NIEVES, KINGERY, WHORTON, DEEKEN, STEVENSON, ICET, MAY, LEMBKE (85), STEFANICK, WOOD, GOODMAN, LUETKEMEYER, MUNZLINGER, PEARCE, BRUNS, RUPP, SANDER, DIXON, SUTHERLAND, LIPKE (157), BAKER, BISHOP, MORRIS, KELLY (144), CROWELL, DAVIS (122), WILDBERGER, MYERS, PHILLIPS, MERIDETH, DETHROW, SKAGGS AND HENKE.

Read 1<sup>st</sup> time February 26, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1749L.011

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### AN ACT

To amend chapter 192, RSMo, by adding thereto three new sections relating to pain management.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 192, RSMo, is amended by adding thereto three new sections, to be known as sections 192.350, 192.352, and 192.355, to read as follows:

**192.350. 1. There is hereby established within the department of health and senior services the "Missouri State Advisory Council on Pain and Symptom Management". The council shall consist of the following nineteen members who are residents of this state:**

**(1) The director of the department of health and senior services, or the director's designee, who shall serve as chair of the council;**

**(2) The state attorney general, or the attorney general's designee;**

**(3) Two members of the senate, appointed by the president pro tempore of the senate;**

**(4) Two members of the house of representatives, appointed by the speaker of the house of representatives;**

**(5) Two physicians, appointed by the Missouri state board of registration for the healing arts, one of whom specializes in primary care and one of whom is certified or accredited in pain management or palliative care or is a hospice care provider;**

**(6) Two registered nurses, appointed by the state board of nursing, with expertise in hospice, oncology, anesthesia, long-term care, or pain and symptom management and**

16 is certified by the National Board for Certification of Hospice and Palliative Nurses;

17 (7) One dentist, appointed by the Missouri dental board, with training in pain and  
18 symptom management and is associated with the education and training of dental students;

19 (8) One pharmacist, appointed by the state board of pharmacy, with training in  
20 pain and symptom management and is associated with the education and training of  
21 pharmacists;

22 (9) One representative of the pharmaceutical research and manufacturers of  
23 America, appointed by the governor with the advice and consent of the senate;

24 (10) One mental health services provider, appointed by the governor, with the  
25 advice and consent of the senate;

26 (11) One physicians assistant, appointed by the Missouri advisory commission for  
27 physician assistants, with training in pain and symptom management;

28 (12) Two advocates representing voluntary health organizations or advocacy  
29 groups with an interest in pain management, appointed by the governor with the advice  
30 and consent of the senate;

31 (13) One member of the general public, appointed by the governor with the advice  
32 and consent of the senate; and

33 (14) One member who has been diagnosed with chronic pain, appointed by the  
34 governor with the advice and consent of the senate.

35 2. Members of the council shall be appointed by February 1, 2004. Of the members  
36 first appointed to the council, seven members shall serve a term of two years, and eight  
37 members shall serve a term of one year, and thereafter, members shall serve a term of two  
38 years. Members shall continue to serve until their successor is duly appointed and  
39 qualified. Any vacancy on the council shall be filled in the same manner as the original  
40 appointment.

192.352. 1. Members of the council shall serve without compensation but shall,  
2 subject to appropriations, be reimbursed for reasonable and necessary expenses actually  
3 incurred in the performance of the member's official duties.

4 2. The department of health and senior services shall provide administrative  
5 support if necessary for the effective operation of the council.

192.355. 1. Meetings of the council shall be held at least every ninety days or at the  
2 call of the council chair.

3 2. The advisory council shall:

4 (1) Hold public hearings pursuant to chapter 536, RSMo, to gather information  
5 from the general public on issues pertaining to pain and symptom management;

6 (2) Make recommendations on acute and chronic pain management treatment

7 practices;

8 (3) Analyze statutes, rules, and regulations regarding pain management;

9 (4) Study the use of alternative therapies regarding pain and symptom management  
10 and any sanctions imposed;

11 (5) Review the acute and chronic pain management education provided by  
12 professional licensing boards of this state;

13 (6) Examine the needs of adults, children, racial and ethnic minorities, and  
14 medically underserved populations that have acute and chronic pain;

15 (7) Make recommendations on integrating pain and symptom management into the  
16 customary practice of health care professionals;

17 (8) Identify the roles and responsibilities of health care professionals in pain and  
18 symptom management;

19 (9) Make recommendations on the duration and content of continuing education  
20 requirements for pain and symptom management;

21 (10) Review guidelines on pain and symptom management issued by the United  
22 States Department of Health and Human Services;

23 (11) Provide an annual report on the activities of the council to the director of the  
24 department of health and senior services, the speaker of the house of representatives, the  
25 president pro tempore of the senate, and the governor by February first of each year. Such  
26 report shall include, but not be limited to the following:

27 (a) Issues and recommendations developed by the council;

28 (b) Pain management educational curricula and continuing education requirements  
29 of institutions providing health care education;

30 (c) Information regarding the impact and effectiveness of prior recommendations,  
31 if any, that have been implemented; and

32 (d) Review of current policies regarding pain and symptom management and any  
33 changes thereto occurring in pain and symptom management.

34 3. The department of health and senior services may accept on behalf of the council  
35 any federal funds, gifts, and donations from individuals, private organizations, and  
36 foundations, and any other funds that may become available.