

HOUSE BILL No. 5263

October 17, 2001, Introduced by Reps. Williams, Raczkowski, George, Howell, Julian, Richardville, Stewart, Woronchak, Basham, Shulman, Patterson, Scranton, Ehardt, Jelinek, Voorhees, Shackleton, Plakas, Anderson, Vear, Hummel, Stamas, Pappageorge, Kuipers, Vander Veen, Allen, Middaugh, Faunce, Meyer, Gilbert, Kowall, Van Woerkom, Cassis, Kooiman, DeVuyst, Pumford, Cameron Brown, Sanborn, Birkholz and Neumann and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16204a (MCL 333.16204a), as amended by 1998
PA 421.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16204a. (1) Subject to subsection (2), an advisory
2 committee on pain and symptom management is created in the
3 department. The committee ~~shall consist~~ CONSISTS of the fol-
4 lowing members appointed in the following manner:

5 (a) The Michigan board of medicine created in part 170 and
6 the Michigan board of osteopathic medicine and surgery created in
7 part 175 each shall appoint 2 members, 1 of whom is a physician
8 specializing in primary care and 1 of whom is a physician
9 certified in the specialty of pain medicine by 1 or more national
10 professional organizations approved by the department of consumer

1 and industry services, including, but not limited to, the
2 American board of medical specialists or the American board of
3 pain medicine.

4 (b) One psychologist who is associated with the education
5 and training of psychology students, appointed by the Michigan
6 board of psychology created in part 182.

7 (c) One individual appointed by the governor who is repre-
8 sentative of the general public.

9 (d) One registered professional nurse with training in the
10 treatment of ~~intractable~~ pain who is associated with the educa-
11 tion and training of nursing students, appointed by the Michigan
12 board of nursing created in part 172.

13 (e) One dentist with training in the treatment of
14 ~~intractable~~ pain who is associated with the education and
15 training of dental students, appointed by the Michigan board of
16 dentistry created in part 166.

17 (f) One pharmacist with training in the treatment of
18 ~~intractable~~ pain who is associated with the education and
19 training of pharmacy students appointed by the Michigan board of
20 pharmacy created in part 177.

21 (g) One individual appointed by the governor who represents
22 the Michigan hospice organization or its successor.

23 (h) One representative from each of the state's medical
24 schools, appointed by the governor.

25 (i) One individual appointed by the governor who has been
26 diagnosed as a chronic pain sufferer.

1 (j) One physician's assistant with training in the treatment
2 of ~~intractable~~ pain appointed by the Michigan task force on
3 physician's assistants.

4 (k) The director of the department of consumer and industry
5 services or his or her designee, who shall serve as chairperson.

6 (l) The director of the department of community health or
7 his or her designee.

8 (2) Advisory committee members appointed under subsection
9 (1)(a) through (j) shall receive per diem compensation as estab-
10 lished by the legislature and shall be reimbursed for expenses
11 under section 1216.

12 ~~-(3) The terms of office of the members of the interdis-~~
13 ~~iplinary advisory committee created by the 1994 amendatory act~~
14 ~~that added this section expire on the effective date of the amen-~~
15 ~~datory act that added this subsection.~~

16 (3) ~~-(4) The advisory committee members appointed under sub-~~
17 ~~section (1)(a) through (j) shall be appointed within 45 days~~
18 ~~after the effective date of the amendatory act that added~~
19 ~~subsection (3).~~ A member of the advisory committee shall serve
20 for a term of 2 years or until a successor is appointed, which-
21 ever is later. A vacancy on the advisory committee shall be
22 filled in the same manner as the original appointment.

23 (4) ~~-(5)~~ The advisory committee shall do all of the follow-
24 ing, as necessary:

25 (a) At least once annually consult with all of the following
26 boards to develop an integrated approach to understanding and
27 applying pain and symptom management techniques:

1 (i) All licensure boards created under this article, except
2 the Michigan board of veterinary medicine.

3 (ii) The board of examiners of social workers.

4 (b) Hold a public hearing in the same manner as provided for
5 a public hearing held under the administrative procedures act of
6 1969, within 90 days after the members of the advisory committee
7 are appointed under subsection (1) to gather information from the
8 general public on issues pertaining to pain and symptom
9 management.

10 (c) Develop and encourage the implementation of model core
11 curricula on pain and symptom management.

12 (d) Develop recommendations to the licensing and registra-
13 tion boards and the task force created under this article and to
14 the board of examiners of social workers on integrating pain and
15 symptom management into the customary practice of health care
16 professionals and identifying the role and responsibilities of
17 the various health care professionals in pain and symptom
18 management.

19 (e) Advise the licensing and registration boards created
20 under this article on the duration and content of continuing edu-
21 cation requirements for pain and symptom management.

22 (f) Annually report on the activities of the advisory com-
23 mittee and make recommendations on the following issues to the
24 director of the department of consumer and industry services and
25 to the director of the department of community health:

1 (i) Pain management educational curricula and continuing
2 educational requirements of institutions providing health care
3 education.

4 (ii) Information about the impact and effectiveness of pre-
5 vious recommendations, if any, that have been implemented,
6 including, but not limited to, recommendations made under subdi-
7 vision (d).

8 (iii) Activities undertaken by the advisory committee in
9 complying with the duties imposed under subdivisions (c) and
10 (d).

11 (g) Beginning in January of ~~the first year after the effec-~~
12 ~~tive date of subsection (3)~~ 2000, annually review any changes
13 occurring in pain and symptom management.

14 (5) ~~-(6)-~~ In making recommendations and developing written
15 materials under subsection ~~-(5)-~~ (4), the advisory committee
16 shall review guidelines on pain and symptom management issued by
17 the United States department of health and human services.

18 ~~-(7) As used in this section, "intractable pain" means a~~
19 ~~pain state in which the cause of the pain cannot be removed or~~
20 ~~otherwise treated and which, in the generally accepted practice~~
21 ~~of allopathic or osteopathic medicine, no relief of the cause of~~
22 ~~the pain or cure of the cause of the pain is possible or none has~~
23 ~~been found after reasonable efforts, including, but not limited~~
24 ~~to, evaluation by the attending physician and by 1 or more other~~
25 ~~physicians specializing in the treatment of the area, system, or~~
26 ~~organ of the body perceived as the source of the pain.-~~