

FIRST REGULAR SESSION

SENATE BILL NO. 391

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATORS SHIELDS, GIBBONS, WHEELER, DOLAN, STEELMAN, KENNEDY,
KLINDT, BARTLE, VOGEL, DOUGHERTY, YECKEL, CAUTHORN,
JACOB, DePASCO AND KINDER.

Read 1st time January 30, 2003, and 1,000 copies ordered printed.

1202S.011

TERRY L. SPIELER, Secretary.

AN ACT

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

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 nineteen members that are residents of this state. The members of the council shall include:

(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) One physician, appointed by the Missouri state board of registration for the healing arts, that specializes in primary care;

(6) One physician, appointed by the Missouri state board of registration for the healing arts, that is certified or accredited in pain management or palliative care or is a hospice care provider;

(7) Two registered nurses, appointed by the Missouri board of nursing, with

expertise in hospice, oncology, anesthesia, long-term care, or pain and symptom management and is certified by the National Board for Certification of Hospice and Palliative Nurses;

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

(9) One pharmacist, appointed by the Missouri board of pharmacy, with training in pain and symptom management and is associated with the education and training of pharmacists;

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

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

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

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

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

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

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

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

2. The department of health and senior services shall furnish administrative support and staff as is necessary for the effective operation of the council.

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

2. The advisory council shall:

(1) Hold public hearings pursuant to chapter 536, RSMo, to gather information

from the general public on issues pertaining to pain and symptom management;

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

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

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

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

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

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

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

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

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

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

(a) Issues and recommendations developed by the council;

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

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

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

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