

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**SENATE MEMORIAL 22**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**Mary Jane Garcia**

**A MEMORIAL**

**REQUESTING THE NEW MEXICO HEALTH POLICY COMMISSION TO CONDUCT A STUDY, IN CONJUNCTION WITH THE NEW MEXICO BOARD OF MEDICAL EXAMINERS, THE BOARD OF NURSING AND THE DEPARTMENT OF HEALTH ON PAIN MANAGEMENT, AND TO REPORT ITS FINDINGS TO THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE.**

**WHEREAS, many people experience severe pain and suffering not only when close to death but also chronically over a period of time and throughout an illness; and**

**WHEREAS, patients may not receive appropriate and consistent pain management and may, as a result, suffer episodically or chronically; and**

**WHEREAS, medical and nursing schools have only recently begun to create or expand training and practice programs to**

underscored material = new  
[bracketed material] = del ete

underscored material = new  
[bracketed material] = delete

1 address the needs of patients suffering from severe acute or  
2 chronic intractable pain; and

3 WHEREAS, health care professionals have legitimate legal  
4 and ethical concerns about what constitutes adequate pain  
5 management; and

6 WHEREAS, patients have legitimate fears about addiction or  
7 side effects due to pain management therapies; and

8 WHEREAS, it is the policy of the state to improve the  
9 quality of life and to assure that basic health services are  
10 available, accessible and acceptable; and

11 WHEREAS, the purpose of the New Mexico health policy  
12 commission is to provide a forum for the discussion of complex  
13 and controversial health policy and planning issues and for the  
14 creative exploration of ideas, issues and problems surrounding  
15 health policy and planning;

16 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
17 OF NEW MEXICO that the New Mexico health policy commission, in  
18 conjunction with the New Mexico board of medical examiners, the  
19 board of nursing and the department of health, conduct a study  
20 on pain management with particular focus on:

21 A. a patient's right to be informed about and  
22 receive pain management therapies;

23 B. the incidence of under-treatment of pain and the  
24 necessary education and training for health care professionals  
25 to provide an adequate and appropriate level of treatment;

. 137124. 1

underscored material = new  
[bracketed material] = delete

1 C. the guidelines provided by the New Mexico board  
2 of medical examiners and the board of nursing; and

3 D. the ability of a health care professional to  
4 defend himself and to recover costs when wrongly disciplined or  
5 prosecuted for providing an appropriate level of pain  
6 management that may exceed a board's guidelines; and

7 BE IT FURTHER RESOLVED that the New Mexico health policy  
8 commission present its findings and recommendations to the  
9 legislative health and human services committee by October 1,  
10 2002; and

11 BE IT FURTHER RESOLVED that copies of this memorial be  
12 transmitted to the New Mexico health policy commission, the New  
13 Mexico board of medical examiners, the board of nursing, the  
14 department of health and the legislative health and human  
15 services committee.