

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

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

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

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

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

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

- A. a patient's right to be informed about and receive pain management therapies;
- B. the incidence of under-treatment of pain and the necessary education and training for health care professionals to provide an adequate and appropriate level of treatment;
- C. the guidelines provided by the New Mexico board of medical examiners and the board of nursing; and
- D. the ability of a health care professional to defend himself and to recover costs when wrongly disciplined or prosecuted for providing an appropriate level of pain management that may exceed a board's guidelines; and

BE IT FURTHER RESOLVED that the New Mexico health policy commission present its findings and recommendations to the legislative health and human services committee by

October 1, 2002; and

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

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