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SENATE BILL 127

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Cliff R. Pirtle

AN ACT

RELATING TO PROFESSIONAL LICENSURE; ENACTING A TEMPORARY
PROVISION TO REQUIRE THE BEHAVIORAL HEALTH SERVICES DIVISION OF
THE HUMAN SERVICES DEPARTMENT TO CONDUCT A ONE-YEAR PILOT
PROJECT ON CHRONIC PAIN MANAGEMENT TRAINING; PROVIDING FOR
REPORTING; PROVIDING FOR DELAYED REPEAL; MAKING AN
APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1. TEMPORARY PROVISION--PILOT PROJECT--CHRONIC
PAIN MANAGEMENT TRAINING.--**

A. By August 1, 2018, the division shall commence a
one-year pilot project to improve the quality of life for
patients living with chronic pain and to provide assistance to
practitioners who provide care to patients living with chronic
pain. To accomplish these goals, the pilot project shall train

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1 pharmacists in:

- 2 (1) acute pain management;
- 3 (2) opioid agent reversal agents;
- 4 (3) how to provide patients living with
- 5 chronic pain with tools to improve their mood;
- 6 (4) conducting chronic pain patient
- 7 consultations and interviews;
- 8 (5) patient education;
- 9 (6) follow-up care for patients; and
- 10 (7) methods for supporting a chronic pain
- 11 patient's primary care provider in the treatment of the
- 12 patient's chronic pain.

13 B. By September 1, 2018, each of the following

14 boards shall issue notice to its members of the pilot project,

15 its goals and the availability, free of charge, of chronic pain

16 management assistance to patients and referring practitioners

17 by means of the pilot project:

- 18 (1) the New Mexico medical board;
- 19 (2) the board of osteopathic medicine; and
- 20 (3) the board of nursing.

21 C. The division shall establish guidelines for

22 evaluating and documenting the effectiveness of the pilot

23 project in accomplishing its goals of improving the quality of

24 life for patients living with chronic pain and the value that

25 referring practitioners place on the assistance they receive

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1 through the pilot project.

2 D. The pilot project shall provide to pharmacists
3 proof of having completed "chronic pain management training".

4 E. The division shall report to the prescription
5 drug misuse and overdose prevention and pain management
6 advisory council, the legislative health and human services
7 committee and the board of pharmacy the results of its pilot
8 project and make any recommendations regarding future
9 legislation or rulemaking by July 1, 2020.

10 F. As used in this section:

11 (1) "division" means the behavioral health
12 services division of the human services department, in its
13 capacity as the mental health and substance abuse state
14 authority and as the statewide administrator for adult
15 behavioral health services funded through the interagency
16 behavioral health purchasing collaborative established pursuant
17 to Section 9-7-6.4 NMSA 1978;

18 (2) "referring practitioner" means any of the
19 following practitioners who are authorized to prescribe a
20 Schedule II drug in the state:

21 (a) a physician or physician assistant
22 licensed pursuant to the Medical Practice Act;

23 (b) an osteopathic physician or
24 osteopathic physician assistant licensed pursuant to the
25 Osteopathic Medicine Act; or

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1 (c) a nurse licensed pursuant to the
2 Nursing Practice Act; and

3 (3) "Schedule II drug" means a substance
4 listed in Schedule II of the Controlled Substances Act or the
5 federal controlled substances regulation issued pursuant to
6 Section 21 U.S.C. 812.

7 SECTION 2. APPROPRIATION.--Four hundred thousand dollars
8 (\$400,000) is appropriated from the general fund to the human
9 services department for expenditure in fiscal years 2019 and
10 2020 to fund a pharmacist chronic pain management pilot project
11 pursuant to Section 1 of this act. Any unexpended or
12 unencumbered balance remaining at the end of fiscal year 2020
13 shall revert to the general fund.

14 SECTION 3. DELAYED REPEAL.--Section 1 of this act is
15 repealed effective December 31, 2020.