

PAIN MANAGEMENT COMMISSION

409.500 Pain Management Commission established; duties; staffing. (1) The Pain Management Commission is established within the Department of Human Services. The commission shall:

- (a) Develop a pain management practice program for providers;
- (b) Develop pain management recommendations;
- (c) Develop ways to improve pain management services through research, policy analysis and model projects; and
- (d) Represent the concerns of patients in Oregon on issues of pain management to the Governor and the Legislative Assembly.

(2) The pain management coordinator of the Department of Human Services shall serve as staff to the commission. [2001 c.987 §1]

409.510 Additional duties of commission. The Pain Management Commission shall:

- (1) Develop a pain management education program curriculum and update it biennially;
- (2) Provide health professional regulatory boards and other health boards, committees or task forces with the curriculum; and
- (3) Work with health professional regulatory boards and other health boards, committees or task forces to develop approved pain management education programs as required. [2001 c.987 §3]

409.520 Membership of Pain Management Commission. (1) The Pain Management Commission shall consist of 19 members as follows:

(a) Seventeen members shall be appointed by the Director of Human Services. Prior to making appointments, the director shall request and consider recommendations from individuals and public and private agencies and organizations with experience or a demonstrated interest in pain management issues, including but not limited to:

- (A) Physicians licensed under ORS chapter 677 or organizations representing physicians;
- (B) Nurses licensed under ORS chapter 678 or organizations representing nurses;
- (C) Psychologists licensed under ORS 675.010 to 675.150 or organizations representing psychologists;
- (D) Physician assistants licensed under ORS 677.495 to 677.545 or organizations representing physician assistants;
- (E) Chiropractic physicians licensed under ORS chapter 684 or organizations representing chiropractic physicians;
- (F) Naturopaths licensed under ORS chapter 685 or organizations representing naturopaths;
- (G) Clinical social workers licensed under ORS 675.510 to 675.600 or organizations representing clinical social workers;
- (H) Acupuncturists licensed under ORS 677.759;
- (I) Pharmacists licensed under ORS chapter 689;
- (J) Palliative care professionals or organizations representing palliative care professionals;

(K) Mental health professionals or organizations representing mental health professionals;

(L) Health care consumers or organizations representing health care consumers;

(M) Hospitals and health plans or organizations representing hospitals and health plans;

(N) Patients or advocacy groups representing patients; and

(O) Members of the public.

(b) Two members shall be members of a legislative committee with jurisdiction over human services issues, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives. Both members shall be nonvoting, ex officio members of the commission.

(2) The term of office of each member is four years, but a member serves at the pleasure of the appointing authority. Before the expiration of the term of a member, the appointing authority shall appoint a successor whose term begins on July 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective for the unexpired term. [2001 c.987 §2; 2003 c.14 §175; 2005 c.162 §1]

409.530 Selection of chairperson and vice chairperson; requirements for commission meetings. (1) The Director of Human Services shall select one member of the Pain Management Commission as chairperson and another as vice chairperson, for such terms and with duties and powers necessary for the performance of the functions of such offices as the director determines.

(2) A majority of the voting members of the commission constitutes a quorum for the transaction of business.

(3) The commission shall meet at least once every six months at a place, day and hour determined by the director. The commission also shall meet at other times and places specified by the call of the chairperson or of a majority of the members of the commission. [2001 c.987 §5]

409.540 Pain Management Fund established. There is established the Pain Management Fund in the Department of Human Services Account established under ORS 409.060. All moneys credited to the Pain Management Fund are continuously appropriated for the purposes of ORS 409.500 to 409.570 to be expended by the Pain Management Commission established under ORS 409.500. [2001 c.987 §9]

409.550 Acceptance of contributions. The Pain Management Commission may accept contributions of funds and assistance from the United States Government or its agencies or from any other source, public or private, and agree to conditions thereon not inconsistent with the purposes of the commission. All such funds shall be deposited in the Pain Management Fund established in ORS 409.540 to aid in financing the duties, functions and powers of the commission. [2001 c.987 §6]

409.560 Pain management education required of certain licensed health care professionals; duties of Board of Medical Examiners; rules. (1) A physician assistant licensed under ORS chapter 677, a nurse licensed under ORS chapter 678, a psychologist

licensed under ORS 675.010 to 675.150, a chiropractic physician licensed under ORS chapter 684, a naturopath licensed under ORS chapter 685, an acupuncturist licensed under ORS 677.759 or a pharmacist licensed under ORS chapter 689 must complete one pain management education program described under ORS 409.510.

(2) The Board of Medical Examiners, in consultation with the Pain Management Commission, shall identify by rule physicians licensed under ORS chapter 677 who, on an ongoing basis, treat patients in chronic or terminal pain and who must complete one pain management education program established under ORS 409.510. The board may identify by rule circumstances under which the requirement under this section may be waived. [2001 c.987 §10; 2005 c.162 §2]

Note: 409.560 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 409 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

409.565 Completion of pain management education program. A person required to complete one pain management education program established under ORS 409.510 shall complete the program:

(1) Within 24 months of January 2, 2006;

(2) Within 24 months of the first renewal of the person's license after January 2, 2006; or

(3) For a physician assistant for whom an application under ORS 677.510 (1) has been approved before January 2, 2006, within 24 months after January 2, 2006. [2001 c.987 §11; 2001 c.987 §11a]

Note: 409.565 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 409 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

409.570 Rules. In accordance with applicable provisions of ORS chapter 183, the Pain Management Commission may adopt rules necessary to implement ORS 409.500 to 409.570. [2001 c.987 §8]