

The House Committee on Judiciary Non-civil offers the following substitute to HB 287:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to health, so as to establish the Pain Management Ad
3 Hoc Advisory Committee; to provide for such committee's membership, duties, and
4 duration; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to
8 general provisions relative to health, is amended by adding a new Code section to read as
9 follows:

10 "31-1-10.

11 (a) There is established the Pain Management Ad Hoc Advisory Committee. The purposes
12 of the committee shall be to:

13 (1) Facilitate a discussion among the Attorney General, the appropriate regulatory
14 boards, and other interested persons that focuses on identifying appropriate procedures
15 and techniques for the management of pain; and

16 (2) Study and report to the Governor and the General Assembly on medical,
17 pharmaceutical, and patient care issues involving the treatment of pain, including, but not
18 limited to, the use of Schedule II controlled substances. Such report shall include
19 recommendations for legislative action regarding pain management.

20 (b) The committee shall review, at a minimum:

21 (1) Scientific and medical reviews of controlled substances classified as Schedule II
22 under Code Section 16-13-26;

23 (2) Modern pain management knowledge;

24 (3) Modern pain management techniques for the treatment of pain, including the use of
25 Schedule II controlled substances;

- 1 (4) The adverse impact on patient recovery condition caused by the undertreatment of
2 pain;
- 3 (5) The identity and quantity of patients who do not receive adequate pain control
4 treatment and consequences and costs of undertreatment;
- 5 (6) The development of guidelines to establish parameters for the investigation of a
6 prescriber or dispenser of Schedule II controlled substances for the treatment of pain; and
- 7 (7) The development of guidelines to educate prescribers, dispensers, patients, law
8 enforcement, and the public about pain management and regulatory issues.
- 9 (c) The committee shall consist of nine members. The Speaker of the House of
10 Representatives shall appoint three members, the Governor shall appoint three members,
11 and the President of the Senate shall appoint three members to the committee.
- 12 (d) The committee shall select a chairperson and hold its first meeting not later than
13 September 15, 2007. The committee shall issue a preliminary report of its activities,
14 tentative findings, and recommendations of issues requiring further study to the Governor
15 and the General Assembly not later than January 4, 2008. The committee shall issue a final
16 report to the Governor and to the General Assembly not later than September 15, 2008.
- 17 (e) The members of the committee shall serve without compensation.
- 18 (f) This Code section shall be automatically repealed on September 15, 2009."

19

SECTION 2.

20 All laws and parts of laws in conflict with this Act are repealed.