

## House Resolution 663

By: Representatives Carter of the 159<sup>th</sup>, Cooper of the 41<sup>st</sup>, and Rynders of the 152<sup>nd</sup>

## A RESOLUTION

1 Creating the House Study Committee on Pain Management; and for other purposes.

2 WHEREAS, many controlled substances have useful and legitimate medical and scientific  
3 purposes and are necessary to maintain the health and general welfare of the people of this  
4 state; and

5 WHEREAS, to treat a patient's pain, a physician should be able to administer a controlled  
6 substance in excess of the recommended dosage, even if its use may increase the risk of  
7 death, so long as it is not also administered for the purpose of causing or assisting in causing  
8 death; and

9 WHEREAS, a health care facility or a hospice should not forbid or restrict the use of  
10 controlled substances appropriately administered to relieve pain; and

11 WHEREAS, with regard to these issues, it would be beneficial to this state to:

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

15 (2) Study and report to the Governor and the General Assembly on medical,  
16 pharmaceutical, and patient care issues involving the treatment of pain, including, but not  
17 limited to, the use of Schedule II controlled substances.

18 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that  
19 there is created the House Study Committee on Pain Management to be composed of three  
20 members of the House of Representatives, to be appointed by the Speaker of the House of  
21 Representatives and eight additional members, also appointed by the Speaker, as follows:  
22 three physicians, one of whom specializes in hospice care; two pharmacists, one of whom  
23 specializes in the care of patients in long-term care facilities; one representative of law  
24 enforcement knowledgeable in Schedule II medications; one nurse; and one layperson. The

1 Speaker of the House of Representatives shall designate one of his appointees to serve as  
2 chairperson of the committee. The committee shall meet at the call of the chairperson.

3 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,  
4 needs, issues, and problems mentioned above or related thereto and recommend any actions  
5 or legislation which the committee deems necessary or appropriate. The committee shall  
6 review, at a minimum:

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

9 (2) Modern pain management knowledge;

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

12 (4) The adverse impact on patient recovery caused by the undertreatment of pain;

13 (5) The identity and quantity of patients who do not receive adequate pain control  
14 treatment and consequences and costs of undertreatment;

15 (6) The development of guidelines to establish parameters for the investigation of a  
16 prescriber or dispenser of Schedule II controlled substances for the treatment of pain; and

17 (7) The development of guidelines to educate prescribers, dispensers, patients, law  
18 enforcement, and the public about pain management and regulatory issues.

19 The committee may conduct such meetings at such places and at such times as it may deem  
20 necessary or convenient to enable it to exercise fully and effectively its powers, perform its  
21 duties, and accomplish the objectives and purposes of this resolution. The legislative  
22 members of the committee shall receive the allowances authorized for legislative members  
23 of interim legislative committees but shall receive the same for not more than five days.  
24 Citizen members shall receive a daily expense allowance in the amount specified in  
25 subsection (b) of Code Section 45-7-21 of the Official Code of Georgia Annotated as well  
26 as the mileage or transportation allowance authorized for state employees. The funds  
27 necessary to carry out the provisions of this resolution shall come from the funds  
28 appropriated to the House of Representatives. In the event that the committee makes a report  
29 of its findings and recommendations for proposed legislation, such report shall be made no  
30 later than December 31, 2007. The committee shall stand abolished on December 31, 2007.