



New Mexico Pain Management Advisory Council

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Development of Pain Management Policy in New Mexico

This is a very brief and surely incomplete “history” of the development of pain management policy in New Mexico over the last 10 years. The purpose is to establish the background of the Joint Statement on the Management of Chronic Pain.

1998 – Federation of State Medical Boards developed first guidelines on the treatment of pain

1999 – Senator Mary Jane Garcia introduced the Pain Relief Act, adopted by the legislature in 1999. The Act specifically created a ‘safe harbor’ for providers to prescribe appropriate treatment for chronic pain without fear of prosecution or discipline on that basis alone.

1999 – North Carolina State boards of medicine, nursing and pharmacy adopted a Joint Statement on Pain Management in End-of-Life Care

2000 – Pain and Policy Studies Group at the University of Wisconsin published the first edition of Achieving Balance in Federal and State Pain Policy: Guide to Evaluation, and the accompanying Progress Report Card. New Mexico received a grade of “B,” thanks to the Pain Relief Act and the Medical Board’s pain management guidelines.

2001 – Senator Mary Jane Garcia sponsored Senate Memorial 22, which mandated that the Health Policy Commission (HPC) conduct a study of pain management in New Mexico. Senator Garcia and others were concerned about information they received that despite passage of the Pain Relief Act, physicians in the state were still concerned enough about possible disciplinary or legal action that they routinely under-prescribed for pain. The HPC oversaw a year-long study and task force.

2002 – HPC issued its final report (available at www.hpc.state.nm.us), which included the recommendations of the task force. One of the major findings of the study was the recognizing that there is a desperate need for more education about pain and pain management, for providers and patients alike. Another finding was that despite many efforts to dispel the concerns of physicians, the medical community as a whole was still fearful of discipline if they prescribed narcotics for pain.

2002 – The New Mexico Pain Initiative sponsored the first NM Pain Summit, pulling together providers, patients, regulators and other health care organizations for two days of education and discussion

2003 – The NM Medical Board formalized its pain management guidelines by adopting them as a pain management rule, and successfully petitioned the Legislature to amend the Medical Practice Act to make the under-treatment of pain a potential cause for discipline.

2003 – Second edition of Achieving Balance in Federal and State Pain Policy: Guide to Evaluation, and the Progress Report Card. New Mexico's grade improved from a "B" to a "B+" based on changes to the Medical Practice Act and Medical Board rules

2004 – Federation of State Medical Boards updated and revised its pain guidelines, now called Model Policy for the Use of Controlled Substances for the Treatment of Pain

2004 – Minnesota State boards of medicine, nursing and pharmacy developed and adopted the Joint Statement on the Management of Pain, based in part on the FSMB guidelines

2005 – NM Medical Board considered, amended slightly and then adopted the Joint Statement on the Management of Chronic Pain, followed by the Osteopathy Board, Board of Nursing and Board of Pharmacy

2005 – NM Pain Management Advisory Council appointed by Governor Richardson, following through on one of the major recommendations of the SM22 task force. The Council is tasked with instituting and coordinating statewide efforts to educate providers and consumers about pain management.

2006 – NM Board of Nursing adopted pain management rule

2006 – Third edition of Achieving Balance in Federal and State Pain Policy: Guide to Evaluation, and the Progress Report Card. New Mexico's grade is still a "B+" since there have been no further changes to public policy.

2006 – Second NM Pain Summit held in Albuquerque.

2006 – NM Pain Management Advisory Council submitted its first annual report to Governor Richardson, which included the recommendation that all state licensing boards whose licensees treat pain through any modality also sign the Joint Statement on the Management of Chronic Pain.