



Legislation Text

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Res. No. 203

Resolution calling upon the New York State Legislature to adopt Senate Bill No. S. 4387A and Assembly Bill A. 5287, proposed legislation that would establish educational standards regarding the management of pain, and require all health care practitioners to complete course work or training regarding pain management.

By Council Members Koppell, Brewer, Dromm, Rodriguez, Mendez, Nelson and Koo

Whereas, According to the Centers for Disease Control and Prevention's (CDC) 30th annual report on the health status of the nation, *Health, United States*, while the overall health of the nation seems to be improving or holding steady in many areas, results from the National Health Interview survey highlight the need for appropriate management of one particular condition - pain; and

Whereas, Pain was such a prevalent complaint among those interviewed for the CDC report, researchers devoted a special section of the report solely to this condition, entitled "Special Feature: Pain;" and

Whereas, According to the CDC, the impact of pain, particularly chronic pain, is far-reaching and can affect one's day-to-day activities and the quality of life itself; and Whereas, Pain is such a prominent health care issue that the 106th U.S. Congress passed Title VI, Section 1603, of H.R. 3244, declaring the period between January 1, 2001 and December 31, 2010, the "Decade of Pain Control and Research;" and

Whereas, The CDC further notes that as Americans are living longer, frustration with conventional approaches to pain management is evident; and

Whereas, The CDC report speculates that pain among older adults often goes unreported, as many simply give up, "and express skepticism about the beneficial effects of potential treatments;" and

Whereas, According to the Pain and Policy Studies Group report, New York State rated the 6th worst state in pain care nationally and the Harvard Public Research Group rated New York City hospitals in

2008 the worst in pain care; and

Whereas, Due to the large numbers of severely injured and wounded heroic American service members returning from duty in Iraq and Afghanistan, the United States Department of Defense (DoD) and the Veterans Administration (VA) have recognized the need for improved pain management for our veterans; and

Whereas, President Barack Obama signed into law on October 29, 2009, new and important military pain care provisions requiring the DoD to develop and implement a comprehensive pain control policy throughout its health care system; and

Whereas, According to the American Academy of Pain management, the requirements imposed on the DoD are identical to those imposed on the Department of Veterans Affairs by the Veterans Pain Care Policy Act, which was enacted into law last fall, and which created a consistent, comprehensive pain care plan that should extend throughout both the VA and the DoD; and

Whereas, A national panel of adult and pediatric pain care experts in a November 2009 report, entitled “A Call to Revolutionize Pain Care in America,” recommended that physicians and health care providers be required to obtain education in pain management; and

Whereas, S. 4387A and S. 5287, legislation currently introduced in the New York State Legislature, would require that all health care practitioners complete course work or training regarding pain management; and

Whereas, The proposed legislation would create an advisory committee comprised of 12 members appointed by the Commissioner of Health and the Commissioner of Education to help the Department of Health develop, review and implement the appropriate educational standards with respect to the management of pain; and

Whereas, According to the bills’ sponsors, many patients suffer needlessly from debilitating pain, caused by inadequate pain treatment and many healthcare practitioners are unaware of the resources available to their patients to relieve chronic and acute pain; and

Whereas, The sponsors further suggest that some healthcare providers are unwilling to use pain-relieving and alleviating resources because they fear that they will be wrongly subjected to prosecution or professional discipline; and

Whereas, Under the proposed legislation, every health care practitioner in New York State who is licensed or certified and who is authorized to order, prescribe, administer or dispense pain-relieving medications or other treatment for the relief of pain, other than physicians, physician assistants, and specialized assistants, shall be required every four years to complete course work or training regarding pain management; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to adopt Senate Bill No. S. 4387A and Assembly Bill A. 5287, proposed legislation that would establish educational standards regarding the management of pain, and require all health care practitioners to complete course work or training regarding pain management.

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