

ASSEMBLY CONCURRENT RESOLUTION No. 72

STATE OF NEW JERSEY

INTRODUCED MAY 6, 1996

By Assemblywoman VANDERVALK

1 A CONCURRENT RESOLUTION creating the New Jersey Legislative
2 Commission for the Study of Pain Management Policy to study laws
3 relating to acute and chronic pain management.
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5 WHEREAS, The most common reason for seeking primary medical care is
6 acute pain, with 80 percent of the millions of injuries suffered annually in the
7 United States involving acute pain; and

8 WHEREAS, The Agency for Health Care Policy and Research within the
9 United States Department of Health and Human Services has recognized
10 the inadequacy of traditional pain management therapies for acute pain
11 following surgery and trauma and for cancer pain; and

12 WHEREAS, An estimated 25 percent of all cancer patients are dying without
13 relief from severe pain, and an estimated 60 to 70 percent of terminally ill
14 patients are not adequately relieved for moderate to severe pain by
15 traditional pain management therapies; and

16 WHEREAS, Unrelieved pain impairs the immune system, raises the likelihood
17 of pneumonia and increased cardiac output and heart rates, and can cause
18 psychological side-effects, such as depression; and

19 WHEREAS, Traditional attitudes about patients' pain concerns must be
20 dispelled, because unrelieved pain contributes to patient discomfort, longer
21 recovery periods, and greater use of scarce health care resources; and

22 WHEREAS, It is important to confirm and clarify the authority of physicians to
23 prescribe extraordinary doses of pain-relieving agents in cases of
24 intractable pain; and

25 WHEREAS, State law and policy can play a role in facilitating effective pain
26 management, thereby serving the medical needs of New Jersey's citizens
27 in the safest and most efficient manner; now, therefore,
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29 BE IT RESOLVED by the General Assembly of the State of New Jersey
30 (the Senate concurring):
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32 1. There is established the "New Jersey Legislative Commission for the
33 Study of Pain Management Policy." The purpose of this commission is to
34 study the laws and practices of this State relating to acute and chronic pain
35 management by health care providers. The commission shall study and

1 prepare a report on the following issues: (a) acute and chronic pain
2 management treatment practices by health care providers in New Jersey; (b)
3 State and federal statutes and regulations relating to pain management
4 therapies, including, but not limited to, drug dispensing practices, use of
5 opioids and nonsteroidal anti-inflammatory drugs (NSAIDs), and the sanction
6 and use of "alternative" therapies such as biofeedback, transcutaneous
7 electrical nerve stimulation (TENS) and massage; (c) acute and chronic pain
8 management education provided by the State's medical schools; (d) the acute
9 and chronic pain management needs of both adults and children; and (e) such
10 other issues relating to pain management as the commission deems
11 appropriate.

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13 2. The commission shall consist of 10 members as follows: two members
14 of the Senate to be appointed by the President of the Senate and who shall
15 each be of different political parties; two members of the General Assembly
16 to be appointed by the Speaker of the General Assembly and who shall each
17 be of different political parties; and six public members, who are residents of
18 the State of New Jersey and licensed health care professionals who are
19 experts in pain management: one anesthesiologist, one oncologist, and one
20 nurse, to be appointed by the President of the Senate; and one neurologist,
21 and one pharmacist, and one practitioner of alternative medicine, to be
22 appointed by the Speaker of the General Assembly. One of the public
23 members shall be a member of the faculty of the University of Medicine and
24 Dentistry of New Jersey. Vacancies in the membership of the commission
25 shall be filled in the same manner provided for the original appointments.

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27 3. a. The commission shall organize as soon as practicable following the
28 appointment of its members and shall select a chairperson and vice-
29 chairperson from among the members. The chairperson shall appoint a
30 secretary who need not be a member of the commission.

31 b. The commission shall be entitled to call to its assistance and avail itself
32 of the services of the employees of any State, county or municipal
33 department, board, bureau, commission or agency as it may require and as
34 may be available to it for its purposes. The Office of Legislative Services shall
35 provide staff support for the preparation of the commission's report.

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37 4. The commission may meet and hold hearings at such places as it shall
38 designate during the sessions or recesses of the Legislature.

