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**PAIN MEDICATION MANAGEMENT AND
EDUCATION**

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Bradley M. Daw

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill modifies Title 26, Chapter 1, Department of Health Organization, establishing a two-year program in the department to reduce deaths and other harm from prescription opiates utilized for chronic pain.

Highlighted Provisions:

This bill:

- ▶ requires the Utah Department of Health to coordinate with the Utah attorney general, the Labor Commission, and the Division of Occupational and Professional Licensure to:
 - investigate causes and risk factors and solutions for deaths and nonfatal complications of prescription opiate use and misuse in Utah by using the Utah Controlled Substance Database;
 - study risks associated with prescription opiate medications used for chronic pain; and
 - educate health care providers, patients, insurers, and the general public on the appropriate management of pain; and
- ▶ requires the department to report to the legislative Health and Human Services Interim Committee and the legislative Business and Labor Interim Committee no later than the November meetings in 2007 and 2008 and present its



28 recommendations on:

- 29 • the use of the Utah Controlled Substances Database to identify and prevent:
- 30 • misuse of opiates;
- 31 • inappropriate prescribing; and
- 32 • adverse outcomes of prescription opiate medications;
- 33 • interventions to prevent the diversion of prescription opiate medications; and
- 34 • medical treatment and quality care guidelines.

35 **Monies Appropriated in this Bill:**

36 This bill appropriates to the Utah Department of Health for this two-year program:

- 37 ▶ \$250,000 from the General Fund for fiscal year 2007-08 only and \$250,000 from
- 38 the General Fund for fiscal year 2008-09 only; and
- 39 ▶ \$250,000 from the Workplace Safety Account created in Section 34A-2-701 for
- 40 fiscal year 2007-08 only and \$250,000 from the Workplace Safety Account for
- 41 fiscal year 2008-09 only.

42 **Other Special Clauses:**

43 This bill takes effect on July 1, 2007.

44 **Utah Code Sections Affected:**

45 ENACTS:

46 **26-1-36**, Utah Code Annotated 1953



48 *Be it enacted by the Legislature of the state of Utah:*

49 Section 1. Section **26-1-36** is enacted to read:

50 **26-1-36. Duty to establish program to reduce deaths and other harm from**
51 **prescription opiates used for chronic noncancer pain.**

52 (1) As used in this section, "opiate" means any drug or other substance having an
53 addiction-forming or addiction-sustaining liability similar to morphine or being capable of
54 conversion into a drug having addiction-forming or addiction-sustaining liability.

55 (2) In addition to the duties listed in Section 26-1-30, the department shall develop
56 and implement a two-year program in coordination with the Division of Professional
57 Licensing, the Utah Labor Commission, and the Utah attorney general, to:

58 (a) investigate the causes of and risk factors for death and nonfatal complications of

59 prescription opiate use and misuse in Utah for chronic pain by utilizing the Utah Controlled
60 Substance Database created in Section 58-37-7.5;

61 (b) study the risks, warning signs, and solutions to the risks associated with
62 prescription opiate medications for chronic pain, including risks and prevention of misuse and
63 diversion of those medications; and

64 (c) provide education to health care providers, patients, insurers, and the general public
65 on the appropriate management of chronic pain, including the effective use of medical
66 treatment and quality care guidelines that are scientifically based and peer reviewed.

67 (3) The department shall report on the development and implementation of the
68 program required in Subsection (2) to the legislative Health and Human Services Interim
69 Committee and the legislative Business and Labor Interim Committee no later than the
70 November interim meetings in 2007 and 2008. Each report shall include:

71 (a) recommendations on:

72 (i) use of the Utah Controlled Substances Database created in Section 58-37-7.5 to
73 identify and prevent:

74 (A) misuse of opiates;

75 (B) inappropriate prescribing; and

76 (C) adverse outcomes of prescription opiate medications;

77 (ii) interventions to prevent the diversion of prescription opiate medications; and

78 (iii) medical treatment and quality care guidelines that are:

79 (A) scientifically based; and

80 (B) peer reviewed; and

81 (b) (i) a measure of results against expectations under the program as of the date of the
82 report; and

83 (ii) an analysis of the application of the program, use of the appropriated funds, and the
84 impact and results of the use of the funds.

85 (4) The report provided under Subsection (3) for the 2008 interim shall also provide a
86 final cumulative analysis of the measurable effectiveness of the program implemented under
87 this section.

88 **Section 2. Appropriation.**

89 There is appropriated to the Utah Department of Health to implement the two-year

90 program created in Section 26-1-36:

91 (1) \$250,000 from the General Fund for fiscal year 2007-08 only and \$250,000 from
92 the General Fund for fiscal year 2008-09 only; and

93 (2) \$250,000 from the Workplace Safety Account created in Section 34A-2-701 for
94 fiscal year 2007-08 only and \$250,000 from the Workplace Safety Account for fiscal year
95 2008-09 only.

96 Section 3. **Effective date.**

97 This bill takes effect on July 1, 2007.

Legislative Review Note

as of 1-19-07 6:22 AM

Office of Legislative Research and General Counsel

H.B. 137 - Pain Medication Management and Education

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will appropriate to the Department of Health, \$250,000 from the General Fund and \$250,000 from the General Fund Restricted - Workplace Safety Account for FY 2008 and FY 2009 to implement the provisions of the legislation. This is a two year project.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
General Fund	\$0	\$250,000	\$250,000	\$0	\$0	\$0
General Fund Restricted	\$0	\$250,000	\$250,000	\$0	\$0	\$0
Total	\$0	\$500,000	\$500,000	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments initially, but could have long-term impacts that yield both savings and cost avoidance for individuals and both private and public sectors.
