PAIN MANAGEMENT COMMISSION

413.570 Pain Management Commission; duties; staffing. (1) The Pain Management Commission is established within the Oregon Health Authority. The commission shall:

(a) Develop pain management recommendations;

(b) Develop ways to improve pain management services through research, policy analysis and model projects; and

(c) Represent the concerns of patients in Oregon on issues of pain management to the Governor and the Legislative Assembly.

(2) The pain management coordinator of the authority shall serve as staff to the commission. [Formerly 409.500]

Note: 413.570 to 413.599 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 413 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

413.572 Additional duties of commission. (1) The Pain Management Commission shall:

(a) Develop a pain management education program curriculum for a one-hour training and update it biennially.

(b) Provide health professional regulatory boards and other health boards, committees or task forces with the curriculum.

(c) Work with health professional regulatory boards and other health boards, committees or task forces to develop approved pain management education programs as required.

(2) The curriculum must take into account the needs of Oregon Tribal communities, communities of color and other groups who have been disproportionately affected by adverse social determinants of health, such as racism, trauma, adverse childhood experiences and other factors that influence how an individual experiences chronic pain. [Formerly 409.510; 2021 c.50 §2]

Note: See note under 413.570.

413.574 Membership of commission. (1) The Pain Management Commission shall consist of 19 members as follows:

(a) Seventeen members shall be appointed by the Director of the Oregon Health Authority. Prior to making appointments, the director shall request and consider recommendations from individuals and public and private agencies and organizations with experience or a demonstrated interest in pain management issues, including but not limited to:

(A) Physicians licensed under ORS chapter 677 or organizations representing physicians;

(B) Nurses licensed under ORS chapter 678 or organizations representing nurses;

(C) Psychologists licensed under ORS 675.010 to 675.150 or organizations representing psychologists;

(D) Physician associates licensed under ORS 677.505 to 677.525 or organizations representing physician associates;

(E) Chiropractic physicians licensed under ORS chapter 684 or organizations representing chiropractic physicians;

(F) Naturopaths licensed under ORS chapter 685 or organizations representing naturopaths;

(G) Clinical social workers licensed under ORS 675.530 or organizations representing clinical social workers;

(H) Acupuncturists licensed under ORS 677.759;

(I) Pharmacists licensed under ORS chapter 689;

(J) Palliative care professionals or organizations representing palliative care professionals;

(K) Mental health professionals or organizations representing mental health professionals;

(L) Health care consumers or organizations representing health care consumers;

(M) Hospitals and health plans or organizations representing hospitals and health plans;

(N) Patients or advocacy groups representing patients;

(O) Dentists licensed under ORS chapter 679;

(P) Occupational therapists licensed under ORS 675.210 to 675.340;

(Q) Physical therapists licensed under ORS 688.010 to 688.201; and

(R) Members of the public.

(b) Two members shall be members of a legislative committee with jurisdiction over human services issues, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives. Both members shall be nonvoting members of the commission.

(2) The term of office of each member is four years, but a member serves at the pleasure of the appointing authority. Before the expiration of the term of a member, the appointing authority shall appoint a successor whose term begins on July 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective for the unexpired term.

(3) Members of the commission are not entitled to compensation or reimbursement for expenses and serve as volunteers on the commission. [Formerly 409.520; 2019 c.13 §42; 2024 c.73 §59]

Note: See note under 413.570.

413.576 Selection of chairperson and vice chairperson; requirements for commission meetings. (1) The Director of the Oregon Health Authority shall select one member of the Pain Management Commission as chairperson and another as vice chairperson, for such terms and with duties and powers necessary for the performance of the functions of such offices as the director determines.

(2) A majority of the voting members of the commission constitutes a quorum for the transaction of business.

(3) The commission shall meet at least once every six months at a place, day and hour determined by the director. The commission also shall meet at other times and places specified by the call of the chairperson or of a majority of the members of the commission. [Formerly 409.530]

Note: See note under 413.570.

413.580 Pain Management Fund. There is established the Pain Management Fund in the Oregon Health Authority Fund established under ORS 413.101. All moneys credited to the Pain Management Fund are continuously appropriated for the purposes of ORS 413.570 to 413.599 to be expended by the Pain Management Commission established under ORS 413.570. [Formerly 409.540]

Note: See note under 413.570.

413.582 Acceptance of contributions. The Pain Management Commission may accept contributions of funds and assistance from the United States Government or its agencies or from any other source, public or private, and agree to conditions thereon not inconsistent with the purposes of the commission. All such funds shall be deposited in the Pain Management Fund established in ORS 413.580 to aid in financing the duties, functions and powers of the commission. [Formerly 409.550]

Note: See note under 413.570.

413.590 Pain management education required of certain licensed health care professionals; duties of Oregon Medical Board; rules. (1) The following practitioners must complete a pain management education program described in ORS 413.572 (1)(c) or an equivalent pain management education program as described in ORS 675.110, 677.228, 678.101, 684.092, 685.102 or 689.285 at initial licensure and every 36 months thereafter:

(a) A physician associate licensed under ORS 677.505 to 677.525;

(b) A nurse licensed under ORS chapter 678;

(c) A psychologist licensed under ORS 675.010 to 675.150;

(d) A chiropractic physician licensed under ORS chapter 684;

(e) A naturopathic physician licensed under ORS chapter 685;

(f) An acupuncturist licensed under ORS 677.759;

(g) A pharmacist licensed under ORS chapter 689;

(h) A dentist licensed under ORS chapter 679;

(i) An occupational therapist licensed under ORS 675.210 to 675.340;

(j) A physical therapist licensed under ORS 688.010 to 688.201; and

(k) An optometrist licensed under ORS chapter 683.

(2) The Oregon Medical Board, in consultation with the Pain Management Commission, shall identify by rule physicians licensed under ORS chapter 677 who, on an ongoing basis, treat patients in chronic or terminal pain and who must complete a pain management education program described in ORS 413.572. The board may identify by rule circumstances under which a requirement under this section may be waived. [Formerly 409.560; 2019 c.3 §2; 2021 c.50 §3; 2021 c.349 §15; 2024 c.73 §60]

Note: See note under 413.570.

413.592 [Formerly 409.565; repealed by 2015 c.70 §11]

413.599 Rules. In accordance with applicable provisions of ORS chapter 183, the Pain Management Commission may adopt rules necessary to implement ORS 413.570 to 413.599. [Formerly 409.570]

Note: See note under 413.570.