Questions Raised Over New Pain Medication Rules

(AP) Physicians say that while good intentions may have been behind a new state law mandating tougher controls on prescribing opiates to chronic-pain patients, the rules may harm the people the law was meant to protect. The Legislature passed the law earlier this year after statistics indicated that more middle-aged Washington residents died while taking prescription painkillers than from traffic accidents.

But *The Seattle Times* reports that writing rules to control what happens between doctors and patients is turning out to be difficult. The law requires doctors and other prescribers to keep detailed screening, history and treatment-plan records for most pain patients. A prescriber whose patient reaches a certain dosage level must consult a pain specialist. A doctor who fails to comply could lose his or her license to practice medicine.

Patient advocates, doctors and others see the rules as micro-meddling aimed at the wrong target. They say drug abusers are the problem, not chronic-pain patients. Some worry the rules will result in doctors, wary of patients becoming addicted, will withhold pain drugs even from suffering, dying people. "We're going to go back to a period where non-cancer pain is vastly undertreated. It will happen," says Dr. Paul Brown, a rheumatologist and a past president of the Washington Academy of Pain Management, a professional group.

Caregivers say many chronic-pain patients already have trouble finding doctors. "What happens to these patients? Where do they go?" asks Dionetta Hudzinski, a Yakima nurse consultant for pain and palliative care. "Most of them are saying to me, "I'd rather die — give me a gun.'"

Dr. Charles Chabal, a pain specialist and the academy's incoming president, says he thinks the law is well-intentioned, but translating the law to practice will be complicated. "The devil's in the details in this law," he said. "How do you protect some of these vulnerable people in access to care?"

Dr. Gary Franklin, medical director for the state's Department of Labor & Industries, said some workers who have received pain medication for back injuries have died from overdoses a few years later. "There are people dying out there, and we've got to do something about it," Franklin said. "There's a public-health problem, and we need to find a solution to it."

The governing boards for physicians, dentists, podiatrists, osteopaths and nurses must adopt rules by June 30. The rules won't apply to patients with cancer, acute injury or surgery, or who are in end-of-life care.

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