

## CHAPTER 64

**AN ACT** establishing the New Jersey Pain Management Policy Advisory Council in the Department of Health and Senior Services.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

1. The Legislature finds and declares that there is a significant need for a follow-up entity to the New Jersey Legislative Commission for the Study of Pain Management Policy which was established pursuant to Assembly Concurrent Resolution No. 72 (1R) of 1996 and expired upon the issuance of its report to the Governor and the Legislature in March 1999, to be established on a temporary basis in order to provide advice and recommendations to the Department of Health and Senior Services and other State regulatory agencies with respect to pain management policy, given that the importance of pain management as a public health policy issue and the severe limitations on time and resources faced by the New Jersey Legislative Commission for the Study of Pain Management Policy argue for a continued and enhanced effort by State government to study this issue and develop further policy recommendations.

2. There is established the New Jersey Pain Management Policy Advisory Council in the Department of Health and Senior Services.

a. The advisory council shall include 21 persons as follows: the Commissioner of Health and Senior Services or his designee as an ex officio member; two members each from the Senate and the General Assembly to be appointed by the President of the Senate and the Speaker of the General Assembly, respectively, who in each case shall be members of different political parties; and 16 public members who are residents of this State to be appointed by the Governor with the advice and consent of the Senate, as follows: one anesthesiologist, one oncologist, two patient advocates, one member of the faculty of the University of Medicine and Dentistry of New Jersey who shall be a physician with experience in pain management, two registered professional nurses, one physician specializing in physical medicine, one pharmacist, one primary care physician with experience in pain management, two physicians specializing in pain management, one chiropractor, one person who is certified to practice acupuncture in this State who is not licensed as a physician, one person who represents one or more licensed hospice care programs, and one attorney with expertise in health care law. All public members who are medical professionals shall be duly licensed to practice in this State. At least one of the public members shall be a current member of the "New Jersey Pain Initiative" of the American Cancer Society.

b. The public members of the advisory council shall serve without compensation but be reimbursed for any expenses incurred by them in the performance of their duties.

c. Legislative members shall serve during their terms of office. Vacancies shall be filled in the same manner as the original appointments were made.

d. The advisory council shall select a chairman from among its members and a secretary who need not be a member of the council.

e. The Department of Health and Senior Services shall provide such staff support as the advisory council requires to perform its duties.

3. The purpose of the advisory council shall be to provide advice and recommendations to the Department of Health and Senior Services and other State regulatory agencies with respect to pain management policy, including, but not limited to, the following: acute and chronic pain management treatment practices by health care providers in New Jersey; State statutes and regulations relating to pain management therapies; the sanction and use of alternative therapies; acute and chronic pain management education provided by medical schools in this State; acute and chronic pain management needs of both adults and children; and such other issues relating to pain management as the advisory council deems appropriate.

4. The advisory council shall report to the Governor and the Legislature no later than two years after the date of its organization on the results of its activities and shall include in that report such recommendations for administrative or legislative action as it desires to present.

5. This act shall take effect immediately and shall expire upon the issuance of the report by the advisory council pursuant to section 4 of this act.

Approved July 13, 2000.