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CONTACT: Jody Jorenby, 608-263-5438
Lisa Brunette, 608-263-5830

**EXCELLENT PROGRESS IN STATE PAIN POLICY BUT BARRIERS REMAIN:
NEW PROGRESS REPORT CARD GRADES THE STATES**

MADISON – A new national report from the University of Wisconsin shows that some states have improved their pain-management policies, but many others continue with policies that tip the balance too far against effective pain control for suffering people.

The report, *Achieving Balance in State Pain Policies: A Progress Report Card (Progress Report Card)*, released today by the Pain & Policy Studies Group (PPSG) at the University of Wisconsin Medical School, shows that the nation remains behind the ideal in providing consistent, balanced policies that ensure the availability of pain-relieving drugs for patients in need while controlling the misuse of such substances.

Inadequate pain relief continues to be a serious public health problem in the U.S. Pain control is an especially important issue for people with serious illnesses such as cancer, AIDS and other chronic conditions. The *Progress Report Card* is the only study of its kind that evaluates state pain policies and also tracks progress. The PPSG report grades each state on its policies (laws, regulations and guidelines) for the medical use of opioid (narcotic) medications that are needed for the relief of moderate to severe pain in many patients.

Aaron Gilson, PhD, chief policy researcher and assistant director of the PPSG, said that “A number of states improved their policies between 2000 and 2003—mainly because of policies adopted by state health regulatory boards. Voluntary groups, such as state pain initiatives and community-state end-of-life care groups contributed to the progress. Some states added positive language encouraging pain management and some repealed unduly restrictive language.” “This positive trend in policy development occurred during a period of increased concern about pain medication abuse,” he said.

According to David E. Joranson, a former regulator who now directs the PPSG, “Our group is trying to promote balanced policy. A balanced policy is one that is aimed at preventing drug abuse while also recognizing that pain medications are necessary for medical purposes, and efforts to prevent abuse should not interfere with legitimate prescribing and patient care,” he said.

The *Progress Report Card* shows that

- No states earned an A or an F, so there is room for the states’ grades to get better or worse;
- Three-fourths of the states received a grade of C or above—the higher the grade the more “balanced” the policies;
- Since 2000, of the 50 states and the District of Columbia, 16 states improved their grades and the remaining 35 showed no change.

Although some states have made excellent progress, many still have policies that are barriers to pain management. “Policies aimed at drug abuse and the regulation of medical practice can affect pain management, either positively or negatively. These policies differ greatly from state to state, and many are not well-balanced,” said Joranson. Federal controlled substances laws are reasonably well balanced, but many states’ policies are not. The report cites a number of authorities including the Institute of Medicine (IOM) of the National Academy of Sciences that have recognized that effective pain management can be compromised by the unintended effects of prescription drug laws aimed at preventing abuse of drugs.

However, some states still have no pain policy, many have provisions that interfere with appropriate pain management, and many have yet to adopt balanced models that have been recommended. For example, the Federation of State Medical Board’s *Model Guidelines for the Use of Controlled Substances for the Treatment of Pain* is well-balanced, but has been adopted, in whole or in part, by only twenty-one states.

According to the report, some states with well-balanced policies:

- recognize that opioid pain medications that are also controlled drugs are necessary for public health;
- explicitly encourage better pain management;
- recognize that pain management and prescription medications are part of good medical practice;
- provide guidelines to address physicians' fear of being investigated;

while states with less-balanced policies:

- restrict physician prescribing by limiting the amounts that can be prescribed or dispensed, or by requiring special government-issued prescription forms;
- stigmatize pain patients by confusing the use of drugs for pain with addiction, and prevent access to medications for patients who have pain and a history of substance abuse;
- contribute to irrational fears that opioids are a last resort, and that they hasten death.

Regulatory policy is one important factor in determining the adequacy of pain management. Other factors include the willingness of health care providers to relieve pain, the adequacy of health care providers' knowledge about pain management, the degree to which pain relief is a priority in health care institutions, the adequacy of patients' insurance coverage, and whether patients and families are informed consumers.

The *Progress Report Card* can be used by government agencies, legislatures, patient and professional groups to evaluate and compare their policies with other states. Joranson said "While grades over-simplify a state's complex policy environment, it is our hope that this report will draw attention to the need to further improve regulatory policy relating to the relief of pain, without changing controlled substances and professional practice regulation."

PPSG is also providing the evaluation that was used to calculate the state grades. Titled *Achieving Balance in Federal and State Pain Policy: A Guide to Evaluation, Second Edition (Evaluation Guide)*, it provides a detailed profile of the policies of each state, positive and negative. The *Evaluation Guide* explains the method of policy evaluation and provides practical information about pain and regulatory policy, as well as model policies that states can use to make their policies more balanced.

The *Progress Report Card* is the most recent phase in the development of a pain and public policy research program, supported by the Robert Wood Johnson Foundation. The *Progress Report Card*, the *Evaluation Guide*, a cover letter and an FAQ can be downloaded from http://www.medsch.wisc.edu/painpolicy/2003_balance.