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3 **Title:** Repeal Ineffective Pain Management Laws and Mandates
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5 **Introduced by:** Richard E. Burney, MD, for the Washtenaw County Delegation
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7 **Original Author:** Richard E. Burney, MD
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9 **Referred To:** Reaffirmation Calendar
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11 **House Action:** **REAFFIRMED MSMS POLICIES "PAIN MANAGEMENT EDUCATION AND**
12 **CME CREDIT" AND "OPPOSITION TO COMPULSORY CONTENT OF**
13 **MANDATED CONTINUING MEDICAL EDUCATION"**
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16 Whereas, in 1994, the Legislature passed a law (MCL 333.17033) that called for
17 improvements in pain and symptom management because of the perception that pain was
18 inadequately managed and calling attention to doctors reluctance to prescribe Schedule II drugs,
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21 Whereas, in 2017, in time, this voluntary approach to behavior modification was with an
22 amended law (MCL 333.17033(2)) specifying that each applicant for license renewal complete as
23 part of the continuing education requirement of subsection (1) an appropriate number of hours or
24 courses in pain and symptom management, as well as medical ethics and the subsequent Rule (R
25 338.2443) set the minimum continuing medical education (CME) credits for these courses to be
26 three hours and one hour, respectively, and
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28 Whereas, also in 2017, in response to the opioid crisis, the legislature passed MCL 333.7303,
29 creating a regulatory framework which severely limited opioid prescribing, and
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31 Whereas, there is no evidence that these laws and rules have had any salutary effect on pain
32 management, which has seen rapid changes that no legislative body can keep up with, and
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34 Whereas, physicians in Michigan remain encumbered by these laws and rules, including
35 meaningless mandatory CME requirements; therefore be it
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37 RESOLVED: That MSMS call for the repeal of the ineffective, burdensome laws and rules
38 requiring three hours of pain and symptom management.
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41 WAYS AND MEANS COMMITTEE FISCAL NOTE: \$1,000 - \$2,000

Relevant MSMS Policy

Pain Management Education and CME Credit

MSMS supports the concept of requiring physicians to be educated in pain management techniques but opposes mandating this type of education through CME credit.

Opposition to Compulsory Content of Mandated Continuing Medical Education

MSMS opposes any attempt to introduce compulsory content of mandated Continuing Medical Education (CME) in the state of Michigan.

Relevant AMA Policy

Support for Continuing Medical Education H-300.958

Our AMA:

- (1) supports the concept of lifelong learning by recognizing the importance of continuing medical education as an integral part of medical education, along with undergraduate and graduate medical education;
- (2) encourages physicians to maintain and advance their clinical competence and keep up with changes in health care delivery brought about by health system reform;
- (3) assists and supports the expansion and enhancement of funding resources for continuing medical education on a local, regional, and national basis through foundations, private industry, health care organizations and appropriate government agencies;
- (4) encourages U.S. medical schools to integrate continuing medical education into the continuum of undergraduate and graduate medical education;
- (5) supports and assists medical schools, teaching institutions, and other health-related organizations in developing and facilitating implementation of health policy that supports research in continuing medical education, relevant to the needs of practicing physicians;
- (6) supports efforts to facilitate and speed development of computer-based interactive and distance learning technologies to support learning needs of practicing physicians regardless of their geographic location; and
- (7) affirms that lifelong learning is a fundamental obligation of our profession and recognizes that lifelong learning for a physician is best achieved by ongoing participation in a program of high quality continuing medical education appropriate to that physician's medical practice as determined by the relevant specialty society.