

KANSAS STATE BOARD OF HEALING ARTS


POLICY STATEMENT NO. 06-04

Subject: Pain Patient's Quality of Care Act
Date: June 9, 2006

The Kansas Legislature authorizes the State Board of Healing Arts to adopt guidelines for managing pain. The Board has adopted and published those guidelines. The Legislature also authorizes the Board to render an opinion at the request of another regulatory or enforcement agency, or at the request of a licensee, indicating whether the licensee has prescribed, dispensed, administered or distributed controlled substances in accordance with the treatment of pain guidelines adopted by the Board. The following policies shall apply to all requests for opinions authorized by the Pain Patient's Quality of Care Act:

1. The final decision to render an opinion rests with the Board.
2. The Board intends its opinions to be for the purpose of assisting others to understand the Board's guidelines and to apply the guidelines in individual situations rather than for making final determinations that a licensee has violated a provision of law.
3. A request for an opinion shall be made in writing and bear the printed name and signature of the person requesting the opinion. The request shall be addressed to the Board's Executive Director.
4. No information from which a patient reasonably can be identified shall be included in the request.
5. The request must contain a complete statement of the patient's situation, the treatment, and an indication of the concerns or questions regarding the treatment.
6. A request from a licensee shall include a statement disclosing the licensee's knowledge of any investigation by a regulatory or law enforcement agency regarding the licensee's professional practice, or any litigation threatened, pending, or scheduled for determination in a court or regulatory agency. If the licensee has no knowledge of such investigation or litigation, the request shall so state.
7. Opinions of the Board are valid only after approval of the Board or its designee.
8. Requests for opinions and opinions rendered by the Board are deemed to be open public records.

Adopted by the State Board of Healing Arts this 12th Day of June, 2006.


Lawrence T. Buening, Jr.
Executive Director