

## **“Michigan Guidelines for the Use of Controlled Substances for the Treatment of Pain”**

Effective April 1, 1999, the Pain and Symptom Management Advisory Committee was established under the Occupational Regulation sections of the Michigan Public Health Code, P.A. 421 of 1998. The Committee was charged to deal with issues pertaining to pain and symptom management, hold a public hearing to gather information from the general public, and make recommendations. After numerous meetings and receiving oral and written testimony at the public hearing on June 20, 2000, the Pain and Symptom Management Advisory Committee Report was issued in November 2002.

In the report, the Committee members made 18 recommendations that included:

- Developing a pain and symptom management website for healthcare professionals and the general public.
- Encouraging hospitals to increase their medical and nursing staff’s knowledge by providing guidelines for required curricula in pain and symptom management in their educational programs.
- Encouraging pharmacies within communities or among pharmacy chains to share information and stock adequate supplies of Schedule II medications to meet the needs of patients.

The Committee also recommended that the Department, in collaboration with the licensing boards and their respective professional associations, establish guidelines similar to those issued by the Federation of State Medical Boards of the United States (FSMB) entitled “Model Guidelines for the Use of Controlled Substances for the Treatment of Pain”. In accordance with this recommendation, members of the Michigan Board of Medicine and Michigan Board of Osteopathic Medicine & Surgery, along with Department staff, convened to begin the process of developing guidelines for the State of Michigan. After meeting over the past several months, draft guidelines were developed and presented to each of the above-mentioned boards. In late 2003, both boards formally adopted the “Michigan Guidelines for the Use of Controlled Substances for the Treatment of Pain”.

The Michigan Guidelines are not intended to define complete or best practice, but rather to communicate what the boards consider to be within the boundaries of professional practice. The guidelines state that patients should have access to appropriate and effective pain relief that will serve to improve the quality of life for those who suffer from pain as well as reduce the morbidity and costs associated with untreated or inappropriately treated pain.

Because inadequate pain control may result from a physician’s lack of knowledge about pain management or an inadequate understanding of addiction, many physicians fear investigation or sanction by federal, state and local regulatory agencies resulting in inappropriate or inadequate treatment of patients suffering from acute or chronic pain including those patients who experience pain as a result of terminal illness. However, in accordance with Section 333.5658 of the Public Health Code, provided a physician in good faith is prescribing these controlled substances for legitimate medical purposes and properly documenting information in the patient’s medical records, those factors would be taken into consideration if someone were to file an allegation against the physician. “Good faith” is defined in Section 333.7333 as the prescribing or dispensing

of a controlled substance by a practitioner licensed under Section 333.7303 in the regular course of professional treatment to or for an individual who is under treatment by the practitioner for a pathology or condition other than that individual's physical or psychological dependence upon or addiction to a controlled substance, except as provided in this article.

The Michigan guidelines have been broken down into the following sections:

- **Section I: Preamble**
- **Section II: Guidelines** (Evaluation of the Patient; Treatment Plan; Informed Consent and Agreement for Treatment; Periodic Review; Consultation; Medical Records; Compliance with Controlled Substances Laws and Regulations)
- **Section III: Definitions** (Acute Pain; Addiction; Analgesic Tolerance; Chronic Pain; Pain; Physical Dependence; Pseudoaddiction; Substance Abuse; Tolerance)

To view and/or print a complete copy of the Michigan guidelines, please go to our website at: <http://www.namsdl.org/library/F2583B06-EC06-5E7D-C0195CC64ECE4BB7/>

In addition to the guidelines, you will find helpful links to organizations that are already serving as excellent resources in the pain and symptom management area.