

Kansas Pain Patient's Quality of Care Act

CHAPTER 65. PUBLIC HEALTH ARTICLE 49. HEALTH CARE PROVIDERS PAIN PATIENT'S QUALITY OF CARE

65-4975. Pain patient's quality of care act.

K.S.A. 2006 Supp. 65-4975 through 65-4977, and amendments thereto, shall be known and may be cited as the pain patient's quality of care act.

65-4976. Legislative findings on pain treatment.

The legislature finds and declares that pain is a significant health problem, and that the diagnosis and treatment of pain is complex, and can involve several therapeutic modalities. The treatment of pain may require the use of controlled substances in appropriate circumstances. In order to promote the public health, safety and welfare, the state has a duty to restrict the inappropriate use of controlled substances while supporting a physician's or other health care provider's ability to provide appropriate pain treatment consistent with patient needs and sound clinical judgment.

65-4977. Persons suffering from pain; use of controlled substances for pain treatment.

(a) A person suffering from pain:

- (1) Should be an active participant in decisions about the assessment, diagnosis and treatment of their pain.
- (2) May accept or reject the use of any or all diagnostic and therapeutic modalities which may be recommended to treat such person's pain.
- (3) Should accurately, completely, and honestly report all symptoms and concerns to physicians and other health care professionals conducting assessment and treatment of such person's pain.

(b) Nothing in this act shall be construed to prevent, restrict or limit a physician or other person authorized to prescribe drugs from prescribing, dispensing, administering, or distributing a controlled substance to a patient for the treatment of pain, when it is for a valid medical purpose and based on appropriate clinical indications.

(c) Nothing in this act shall be construed to require a physician or other person authorized to prescribe drugs to prescribe, dispense, administer, or distribute a controlled substance to a patient for the treatment of pain if in the judgment of the prescriber the use of a controlled substance is not clinically indicated or the most appropriate therapeutic modality.