

House File 2064 - Introduced

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A BILL FOR

1 An Act relating to the practice of interventional pain medicine
2 and providing for a penalty.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 148F.1 Title.

2 This chapter shall be known and may be cited as the
3 "*Interventional Pain Management and Treatment Patient Safety*
4 *Act*".

5 Sec. 2. NEW SECTION. 148F.2 Definitions.

6 For purposes of this chapter, unless the context otherwise
7 requires:

8 1. "*Acute pain*" means pain that is temporary and results
9 from something specific, such as a surgery, a broken bone,
10 labor and childbirth, dental work, a cut, or a burn.

11 2. "*Chronic interventional pain medicine*" means the
12 diagnosis and treatment of chronic pain-related disorders
13 primarily with the application of interventional techniques in
14 managing chronic, persistent, and intractable pain. "*Chronic*
15 *interventional pain medicine*" does not include treatment of
16 acute pain or the administration of anesthesia-related services
17 in the operating room or emergency room setting.

18 3. "*Chronic pain*" means pain of any etiology associated with
19 a chronic medical condition or extending in duration beyond
20 the expected temporal boundary of tissue injury and normal
21 healing and adversely affecting the function or well-being of
22 the individual.

23 4. "*Fluoroscope*" means a radiologic instrument equipped with
24 a fluorescent screen on which opaque internal structures can
25 be viewed as moving shadow images formed by the differential
26 transmission of X rays throughout the body.

27 5. "*Interventional techniques*" means through the skin needle
28 placement through which drugs are then placed in targeted
29 areas, nerves are ablated, or certain surgical procedures
30 involving injection of steroids, analgesics, or anesthetics
31 are performed. "*Interventional techniques*" includes but is not
32 limited to the following:

33 a. Lumbar, thoracic, and cervical spine injections,
34 intra-articular injection, intrathecal injections, and epidural
35 injections, both interlaminar and transforminal.

- 1 *b.* Facet injections.
- 2 *c.* Discography.
- 3 *d.* Nerve destruction.
- 4 *e.* Occipital nerve blocks.
- 5 *f.* Cervical, thoracic, or lumbar sympathetic blocks.
- 6 *g.* Intradiscal electrothermal therapy.
- 7 *h.* Spinal cord stimulation or peripheral nerve stimulation.
- 8 *i.* Intrathecal pump placement.
- 9 *j.* Ablation of targeted nerves.
- 10 *k.* Vertebroplasty.
- 11 *l.* Kyphoplasty.
- 12 *m.* Utilization of fluoroscopy, computerized tomography,
13 or ultrasound when such devices are used to assess the cause
14 or location of a patient's chronic pain or as a means of
15 accurately directing needles, catheters, or electrodes as part
16 of a therapeutic modality for chronic pain treatment.
- 17 *n.* Other interventional techniques approved by the board of
18 medicine.

19 Sec. 3. NEW SECTION. 148F.3 **Prohibited practices —**
20 **exemptions.**

21 1. A person shall not practice or offer to practice chronic
22 interventional pain medicine in this state unless such person
23 meets at least one of the following requirements:

24 *a.* Completion of one of the following types of advanced
25 specialty training in interventional pain medicine:

26 (1) Successful completion of a pain medicine fellowship
27 training program recognized by the accreditation council
28 for graduate medical education or approved by the American
29 osteopathic association, evidenced by documentation verifying
30 such successful completion.

31 (2) Successful completion of an American osteopathic
32 association or American board of anesthesiology approved
33 residency in anesthesiology, or of another American board
34 of medical specialties residency and subspecialty training
35 in interventional pain medicine, evidenced by documentation

1 verifying such successful completion.

2 *b.* Receipt of one of the following types of board
3 certification:

4 (1) Board certification in pain medicine from one of
5 the following certifying bodies: the American board of
6 anesthesiology, the American board of physical medicine
7 and rehabilitation, or the American board of psychiatry
8 and neurology, evidenced by documentation verifying such
9 certification.

10 (2) Board certification from the American board of
11 pain medicine, evidenced by documentation verifying such
12 certification.

13 2. Notwithstanding subsection 1, the designated licensees
14 may perform the specified procedures as follows:

15 *a.* Anesthesiologists who are medical or osteopathic
16 physicians licensed under chapter 148, with board certification
17 in their primary specialty and active credentials to practice
18 at a health care institution accredited by the state of
19 Iowa may perform interlaminar epidural steroid injections if
20 credentialed to do so at that health care institution.

21 *b.* Medical or osteopathic physicians licensed under chapter
22 148 may perform intra-articular injections in accordance with
23 standards of care as determined by the board of medicine in
24 rule.

25 *c.* Podiatrists licensed under chapter 149 or dentists
26 licensed under chapter 153 may perform chronic pain
27 interventional procedures solely within the limits of their
28 specialty in accordance with standards of care as determined by
29 the respective licensing boards in rule.

30 3. Any person who violates this section is guilty of
31 a serious misdemeanor as provided in section 147.86 and
32 is subject to the injunction, punishment, and enforcement
33 provisions set forth in chapter 147.

34 **Sec. 4. NEW SECTION. 148F.4 Rules.**

35 The board of medicine shall adopt rules to implement and

1 administer this chapter.

2

EXPLANATION

3 This bill establishes training and certification standards
4 for a person who wishes to practice chronic interventional pain
5 medicine. The person must either complete advanced specialty
6 training in interventional pain medicine or be certified by
7 a national board. The bill specifies the requirements for
8 either option. The bill does not create a specific license or
9 certification for chronic interventional pain medicine.

10 The bill exempts the following licensed professionals from
11 these training requirements in certain circumstances within the
12 scope of their training: anesthesiologists who are medical
13 or osteopathic physicians, medical or osteopathic physicians,
14 podiatrists, and dentists. The various licensing boards are
15 empowered to adopt rules detailing the standards of care for
16 the professions.

17 The bill provides that the board of medicine shall adopt
18 rules to implement and administer the bill.

19 The bill makes a penalty in Code section 147.86 applicable,
20 making it a serious misdemeanor to violate any of the
21 provisions of the bill.