
HOUSE BILL 2792

State of Washington 54th Legislature 1996 Regular Session

By Representatives Dyer, Morris, Murray, Scheuerman and Dickerson

Read first time 01/19/96. Referred to Committee on Health Care.

1 AN ACT Relating to permitting practitioners to prescribe,
2 administer, or dispense a controlled substance in any quantity deemed
3 medically indicated for the management or relief of a diagnosed
4 condition causing intractable pain; and adding a new section to chapter
5 69.50 RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 69.50 RCW
8 to read as follows:

9 (1) This section may be known as the "intractable pain treatment
10 act."

11 (2) For the purposes of this section, "intractable pain" means a
12 pain state in which the cause of pain cannot be removed or otherwise
13 treated and which, in the generally accepted course of medical
14 practice, no relief or cure of the cause of the pain is possible, or
15 none has been found after reasonable effort. Reasonable effort
16 includes, but is not limited to, evaluation by the attending physician
17 and one or more physicians specializing in the treatment of the area,
18 system, or organ of the body perceived as the source of the pain.

1 (3) Notwithstanding any other provision of law, a practitioner may
2 prescribe, administer, or dispense a controlled substance, including
3 narcotics, in any quantity that the attending physician deems medically
4 indicated for the management or relief of intractable pain.

5 (4) In prescribing or administering a controlled substance for the
6 management or relief of intractable pain, the attending physician shall
7 observe department of health guidelines for the management of pain.

8 (5) No practitioner who has complied with the terms of this section
9 shall be subject to administrative sanction, or civil or criminal
10 liability, for prescribing, administering, or dispensing a controlled
11 substance for use in the course of treating a person for intractable
12 pain.

13 (6) Nothing in this section shall be construed to grant a
14 practitioner immunity from investigation or disciplinary action based
15 on the prescription, administration, or dispensing of a controlled
16 substance in violation of this chapter.

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