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HOUSE MEMORIAL 44

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

Joanne J. Ferrary and Deborah A. Armstrong

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO CHARGE THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE WITH HOLDING HEARINGS DURING THE 2019 INTERIM THAT RELATE TO INSURANCE COVERAGE FOR NON-OPIOID PAIN MANAGEMENT AND TO DISCUSS AND RECOMMEND POLICY SOLUTIONS FOR PROVIDING MORE NEW MEXICO RESIDENTS WITH ACCESS TO SAFE, AFFORDABLE AND EFFECTIVE PAIN MANAGEMENT.

WHEREAS, many New Mexico residents are living with chronic pain, ranging from mild, tolerable conditions to severe, debilitating and often intolerable pain; and

WHEREAS, pain management is one of the most important areas of health care delivery, as pain that is left untreated can lead to great suffering, disability and desperate measures to numb or lessen the pain; and

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1           WHEREAS, according to the university of New Mexico's  
2 extension for community healthcare outcomes telehealth program,  
3 known worldwide as "project ECHO", more than seventy percent of  
4 visits to hospital emergency departments are due to pain  
5 concerns; and

6           WHEREAS, in recent years, New Mexico has experienced a  
7 terrible crisis in opioid dependence and deaths due to opioid  
8 overdose, with one New Mexican dying from a drug overdose every  
9 eighteen hours and two-thirds of those deaths arising from the  
10 use of either prescription or illicit opioids, according to the  
11 department of health; and

12           WHEREAS, a great many of the cases of opioid dependence  
13 and overdose in New Mexico have arisen from attempts to manage  
14 pain; and

15           WHEREAS, there are many alternatives to opioids for pain  
16 management, and experts in many fields of health care argue  
17 that many of these pain management alternatives are far  
18 superior to opioids in terms of efficacy and safety; and

19           WHEREAS, alternatives to opioids for pain management  
20 include a wide range of interventions, including physical  
21 therapy, acupuncture, naprapathic medicine, chiropractic, non-  
22 opioid analgesics, electrical signals, radio waves, nerve  
23 blocks, yoga, deep breathing, spinal cord stimulation,  
24 hypnosis, perineural injection treatment, topical creams and  
25 prolotherapy; and

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1           WHEREAS, very often, patients report that pain management  
2 techniques such as prolotherapy, which is an injection therapy  
3 intended to repair connective tissue, or perineural injection  
4 therapy, which works through injections to reduce inflammation,  
5 have been used for many years in countries around the world but  
6 are not available in the United States to many patients because  
7 insurance companies label these techniques that are time-tried  
8 abroad as "experimental" or "investigative" and will not cover  
9 these techniques – while continuing to cover the cost of  
10 prescriptions for opioids; and

11           WHEREAS, when insurance companies refuse to evaluate the  
12 use of pain management techniques that have well-documented  
13 efficacy worldwide and refuse to cover these pain management  
14 techniques labeled as "experimental" or "investigative", many  
15 New Mexico residents are barred from seeking these alternatives  
16 to opioids as they are cost-prohibitive when purchased out-of-  
17 pocket;

18           NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
19 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico  
20 legislative council be requested to charge the legislative  
21 health and human services committee with holding hearings  
22 during the 2019 interim that relate to insurance coverage for  
23 non-opioid pain management; and

24           BE IT FURTHER RESOLVED that the New Mexico legislative  
25 council be requested to charge the legislative health and human

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1 services committee with convening experts from the fields of  
2 pain management, including experts in alternative or non-opioid  
3 pain management techniques that have well-documented efficacy  
4 worldwide, as well as experts in health care in general, in  
5 opioid dependence and in health insurance coverage and  
6 regulation to discuss and recommend policy solutions for  
7 providing more New Mexico residents with access to safe,  
8 affordable and effective pain management; and

9 BE IT FURTHER RESOLVED that copies of this memorial be  
10 transmitted to the speaker of the house of representatives, the  
11 president pro tempore of the senate, the chair of the  
12 legislative health and human services committee and the  
13 superintendent of insurance.

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