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FOR IMMEDIATE RELEASE

Board says it's premature to interpret proposed rule on treating chronic pain

DES MOINES, IA – The Iowa Board of Medicine today (May 6, 2010) voted to deny an application for a declaratory order that had asked the Board to interpret language in a proposed rule to assist physicians who consider interventional techniques to treat patients with chronic pain.

The Board, in a public session via a telephone conference call, declined to issue a declaratory order sought by the Iowa Association of Nurse Anesthetists, which asked for a clarification of the proposed rule's statement that interventional chronic pain management (ICPM) is the practice of medicine. The association wanted to know if the Board will interpret this language to mean that ICPM is "solely and exclusively" the practice of medicine.

The Board determined the association's request for a declaratory order is premature because ARC 8579B is a noticed rule but it has not been adopted. The Board cited administrative rule 653 IAC 1.9(9)(a)(4) in denying the application because "the questions presented by the petition are also present in a current rule making ... that may definitively resolve them."

The Board noticed the ICPM rule on February 5, and held a public hearing on March 30. On April 7, the Iowa Association of Nurse Anesthetists filed the petition for the declaratory order.

The proposed ICPM rule is an amendment to IAC 653 Chapter 13, "Standards of Practice and Principles of Medical Ethics" for physicians. The proposed rule is expected to be on the Board's June 11 meeting agenda for possible adoption and filing.

The proposed rule identifies interventional treatment techniques and patient management expectations for physicians who treat patients with subacute, chronic, persistent and intractable pain.