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**AB-2585 Nonpharmacological pain management treatment.** (2021-2022)

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**Assembly Bill No. 2585**

**CHAPTER 160**

An act to add Section 124962 to the Health and Safety Code, relating to pain management.

[ Approved by Governor August 22, 2022. Filed with Secretary of State August 22, 2022. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2585, McCarty. Nonpharmacological pain management treatment.

Existing law sets forth the Pain Patient's Bill of Rights, which grants a patient who suffers from severe chronic intractable pain the option to request or reject the use of any or all modalities to relieve their pain.

This bill would make related findings and declarations, including that the health care system should encourage the use of evidence-based nonpharmacological therapies for pain management.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 124962 is added to the Health and Safety Code, to read:

**124962.** The Legislature finds and declares all of the following:

(a) Nonpharmacological therapies for pain management have been proven effective for treatment of chronic pain and their use should be promoted just as are pharmacological analgesic therapies.

(b) The United States Department of Health and Human Services' Pain Management Best Practices Inter-Agency Task Force identified barriers to accessing nonpharmacological therapies for pain management related to health care providers that include underestimation of patients' reported level of pain, including unconscious biases, workforce shortages, especially among behavioral and pain management specialists, lack of research on or lack of awareness of novel and effective approaches to pain care, and cost and reimbursement issues specific to the health care system. For patients, cost, time, and transportation barriers, as well as lack of coverage or lack of knowledge and awareness of nonpharmacological options have been identified.

(c) A multimodal and patient-centered approach to treating and managing acute or chronic pain has been recommended by the task force.

(d) Restorative, interventional, behavioral, complementary, and integrative health approaches have been identified as nonpharmacological therapies for pain management.

(e) The federal Food and Drug Administration has approved behavioral or instrument-based and nonpharmacological immersive therapeutics indicated to manage or treat pain.

(f) "Nonpharmacological pain management treatment" is pain management treatment without the use of medication, including behavioral therapy, instrument-based therapy, or immersive therapeutics approved by the federal Food and Drug Administration indicated for the use of managing or treating pain.

(g) Medical devices are an important option for the treatment and management of pain and prevention of opioid use disorders. With a shift in how pain is treated, there is a greater need for ensuring appropriate coverage and payment policies for effective emerging technologies.

(h) The health care system, including health care providers, health care service plans, and health insurers, should encourage the use of evidence-based nonpharmacological therapies for pain management.