

**You must use the algorithm if the patient has acute or chronic pain, UNLESS the patient falls into one of these EXEMPTION categories:**

- Currently in active treatment for cancer
- Receiving hospice care from a licensed hospice
- Resident of a long term care facility
- Medications are being prescribed for use in treatment of substance abuse or opioid dependence
- Receiving palliative care: "Palliative care" means care provided to an individual suffering from an incurable progressive illness that is expected to end in death, which is designed to decrease the severity of pain, suffering, and other distressing symptoms, and the expected outcome of which is to enable the individual to experience an improved quality of life.

**Acute Pain:** from disease, accidental or intentional trauma, or other cause, that the practitioner reasonably expects to last only a short period of time. "Acute pain" does not include chronic pain, pain being treated as part of cancer care, hospice or other end of life care, or pain being treated as part of palliative care.

**Chronic Pain:** "Chronic pain" means pain that persists for three or more consecutive months and after reasonable medical efforts have been made to relieve the pain or its cause, it continues, either continuously or episodically.



**Special Considerations for Chronic Pain**

1. A practitioner may prescribe the use of an implantable infusion pump that is utilized to achieve pain management for patient suffering from cancer, intractable pain, or terminal illness. A prescription for such an implantable infusion pump may provide up to a 90-day supply, as long as the physician evaluates and documents the patient's continued need at least every 30 days.
2. In a single encounter, a practitioner may prescribe multiple 30-day supply prescriptions authorizing a patient to receive a total of up to 90-day supply of a Schedule II CDS provided that:
  - a) Each separate prescription is issued for a legitimate medical purpose by the practitioner acting in the usual course of professional practice;
  - b) The practitioner provides written instructions on each prescription, other than the first prescription if it is to be filled immediately, indicating the earliest date on which a pharmacy may fill each prescription;
  - c) The practitioner determines that providing the patient with multiple prescriptions in this manner does not create an undue risk of diversion or abuse; and
  - d) The practitioner complies with all other applicable State and Federal laws and regulations.