

April 12, 2023

Chair John Marty
Senate Finance Committee
95 University Avenue W.
Minnesota Senate Building, Room 3235
St. Paul, MN 55103

Sent via electronic mail to: Elsbeth.cavert@senate.mn

RE: Senate File 2934
Hearing date: April 14, 2023
Supporting Section 4 of Article 6
Repeal of Minnesota Statutes 2022, section 256B.0638, subdivisions 1, 2, 3, 4, 5 and 6

Dear Chair Marty and members of the committee,

We are submitting this letter in hopes that the Senate Finance Committee will take our concerns into consideration.

The signors of this letter, which include pain patients, advocates, caregivers, family members, healthcare professionals and concerned citizens, are graciously asking you to support the repeal of Minnesota Statutes 2022, section 256B.0638, subdivisions 1, 2, 3, 4, 5 and 6.

It is imperative that our legislators hear from Minnesotans who are the collateral damage, the humans behind the unintended consequences, and to understand why it is so vital that patient-centered care goes back to being the standard of care. Pre-determined dosage thresholds and one-size-fits-all morphine milligram equivalents of medically necessary opioid analgesics is not patient-centered care, nor standard of care.

The Minnesota Opioid Prescribing Work Group (OPWG), established in 2015 and dissolved in December 2021, was not balanced, lacked board-certified pain management specialists, and didn't have any representation from pain patients until 2020. It was not until 2021 that these patients had voting rights, which means that for five years, the very community these policies and guidelines would impact the most had no input into what was being implemented. Patients and advocates could provide public comments during those five years, but those comments were mostly dismissed by the OPWG. There even was a listening session between the OPWG and concerned citizens, yet only a few members of the OPWG even showed up to listen to the concerns that nearly 100 Minnesota pain patients, providers, and their loved ones offered.

It is deeply concerning that Minnesota has deemed it acceptable to treat Medicaid and MNCare patients differently than private insured patients. This is discrimination and should not be tolerated any longer. Many pain patients are on Disability and rely on Medicaid and MNCare for coverage, so by targeting these patients you are targeting some of our most vulnerable citizens.

The Minnesota Opioid Prescribing Improvement Program (OPIP), under the DHS, has not had an official advisory council or official working group since December 2021, when the OPWG dissolved. Since they have no official advisory council or work group, they do not have to abide by Open Meeting Laws. This keeps stakeholders from participating in the process.

The DHS/OPIP are creating policies behind closed doors with no option for public involvement. We know it is happening, but DHS will not tell us the names of everyone involved. The lack of transparency is unacceptable. We ask our legislators to take action since they all have constituents who have been negatively affected by all of this. DHS and OPIP continue to leave out this community and they've been allowed to do it.

Leaving out our voices and lived experiences was intentional. If it were not, the DHS would have amended the applicable statute immediately, which they failed to do. In addition, a Senator sat on the OPWG the entire time and could have easily introduced legislation to add pain patients to the OPWG. This Senator also failed to act and include the very community these policies and guidelines would impact the most.

It is unacceptable that DHS and OPIP do not measure patient impact and patient outcome of the policies they implemented. There is more to this than how low prescribing rates can get and when DHS, OPIP and OPWG were presented with an amendment to the statute which would require measuring patient impact and outcome in 2021, the individuals declined and didn't feel it was necessary. This was very telling.

In addition, even though the CDC removed the hard thresholds in the initial twelve recommendations in its updated 2022 opioid prescribing guidelines, DHS/OPIP made the decision to NOT update the Minnesota Prescribing Guidelines or policies to reflect this. They made this decision with no public comment period, no community input, and blatant disregard for the known harms the guidelines and unbalanced policies have caused patients, which includes poor health outcomes and suicides for patients denied proper pain care.

These misguided policies also negatively affect the medical professionals responsible for caring for pain patients. We have already lost so many providers, and more providers will stop taking on patients if these policies are moved forward. More providers will leave their practice, leave the field of pain management, and do so ALL OUT OF FEAR.

We are all asking you to protect some of Minnesota's most vulnerable citizens and their providers. Minnesota chronic and intractable pain patients deserve patient-centered care, and medical providers should be allowed to do their jobs without more government overreach.

"One Minnesota" should include all Minnesotans, but it doesn't. We all should matter. DHS/OPIP has shown us again and again that we don't. **Please support the repeal of Minnesota Statutes 2022, section 256B.0638, subdivisions 1, 2, 3, 4, 5 and 6.**

Thank you for your time and consideration.

Sincerely,

Amber Bullington and Cammie LaValle, in support of the Minnesota chronic and intractable pain community and their healthcare providers.

Nancy Heiser	Albert Lea	Pain Patient
Ed Sallee	Albert Lea	Spouse/Family Member/Friend of Pain Patient
KARRINE STORBY	Albert Lea	Pain Patient
Kelly Hill	Bloomington	Pain Patient
Sandra McKenzie	Braham	Pain Patient
Mark Stock, APRN, CNP	Brooklyn Center	Caregiver / Healthcare professional
Pam LaValle	Burnsville	Spouse/Family/Friend of patients negatively impacted
Elisa Odegard	Burnsville	Spouse/Family/Friend of patients negatively impacted
Betsy Anderson	Burnsville	Concerned citizen supporting the bill
Jane Kaplan	Burnsville	Spouse/Family/Friend of patients negatively impacted
Cara Schulz	Burnsville	Advocate/Activist
Kim Dennstedt	Burnsville	Spouse/Family Member/Friend of Pain Patient
Pat LaValle	Burnsville	Spouse/Family/Friend of patients negatively impacted
Tara Stone	Chanhassen	Pain Patient
Kelly Christensen	Coon Rapids	Pain Patient
Brenda S	Duluth	Pain Patient
Steve S.	Duluth	Pain Patient
Sue S.	Duluth	Pain Patient
Scott S.	Duluth, MN	Spouse/Family Member/Friend of Pain Patient
William Kocke	Eagan	Spouse/Family/Friend of patients negatively impacted
Tina Sanz	Eagan	Pain Patient
Livie Castle	Eagan	Spouse/Family/Friend of patients negatively impacted
Chad Castle	Eagan	Spouse/Family/Friend of patients negatively impacted
Carolyn Chambers	Eden Prairie	Concerned citizen supporting the bill
Sarah Browne	Excelsior	Spouse/Family/Friend of patients negatively impacted
Natalie Hayward	Farmington	Spouse/Family Member/Friend of Pain Patient
Ava Beumer	Farmington	Spouse/Family Member/Friend of Pain Patient
Bret	Farmington	Spouse/Family Member/Friend of Pain Patient
Sandra Bedeaux	Farmington	Healthcare Professional - in practice or retired
Birdie Bret	Farmington	Pain Patient

Melissa Wolter	Forest lake	Pain Patient
Anastasia Peasley	Fridley	Pain Patient
Mindy	Grasston	Spouse/Family Member/Friend of Pain Patient
Wendy Wimmer	Hugo	Healthcare Professional - in practice or retired
Kallie LaValle	Inver Grove Heights	Spouse/Family/Friend of patients negatively impacted
Susan Kemp	Inver Grove Heights	Pain Patient
Cammie LaValle	Lakeville	Pain Patient
Daniel LaValle	Lakeville	Spouse/Family Member/Friend of Pain Patient
Trent kral	Lakeville	Concerned Citizen
Ann	Lakeville	Healthcare Professional - in practice or retired
Angela Thornburg	Mendota Heights	Pain Patient
Sara Sauser	minneapolis	Pain Patient
Louis C. Saeger, MD	Minneapolis	Healthcare Professional - in practice or retired
Angela Leula CPP	Minneapolis	Healthcare Professional - in practice or retired
Laurie Engel	Minneapolis	Pain Patient
Natalie Askov, RN, BSN, BC	Minneapolis, MN	Healthcare Professional - in practice or retired
Maryann Esh	Minnetonka	Spouse/Family/Friend of patients negatively impacted
Sarah Jackson	Minnetonka	Spouse/Family/Friend of patients negatively impacted
Amber Bullington	Minnetonka	Pain Patient
Bullington	Minnetonka	Caregiver
Nancy Fursetzer	Minnetonka	Spouse/Family Member/Friend of Pain Patient
Nancy Fursetzer	Minnetonka	Spouse/Family Member/Friend of Pain Patient
Angel Lambert	Ottertail	Pain Patient
Alfred Anderson	Prior Lake Minnesota	Healthcare Professional - in practice or retired
Jason Matthews	Randolph	Spouse/Family Member/Friend of Pain Patient
Denise Matthews	Randolph	Spouse/Family Member/Friend of Pain Patient
Deborah J. Lurie	Robbinsdale	Pain Patient
Gregg Lurie	Robbinsdale	Spouse/Family Member/Friend of Pain Patient
Teresa Liesener	Rogers	Pain Patient
courtney casey	rosemount	Concerned Citizen
Lori Anderson	Roseville	Pain Patient

Sherri Shuherk	Saint Michael, MN	Pain Patient
Frances Gandy	Saint Paul	Pain Patient
Court winjum	St Paul	Concerned Citizen
Abigail Opstad	St Paul	Healthcare Professional - in practice or retired
Diana LaValle	St. Paul	Spouse/Family/Friend of patients negatively impacted
Shari Hansen	Sunfish Lake	Spouse/Family Member/Friend of Pain Patient
Annika Hansen	Sunfish Lake	Pain Patient
Todd M Hess, MD	Sunfish Lake MN	Healthcare Professional - in practice or retired
Julie Murphy	Vadnais Heights	Pain Patient
Stacey Klein	Victoria	Spouse/Family Member/Friend of Pain Patient
Danya Espinosa	Winona	Pain Patient
Hannah Beumer	Winona	Spouse/Family Member/Friend of Pain Patient