

1 Introduced December 16, 2008, by  
2 Councilwoman Harbison, seconded by  
3 Councilman Borchert

4 **Item No. 08-12-2791**

5  
6 **ORDINANCE NO. 3522**

7 An ordinance amending the Code of Ordinances of the City of Slidell,  
8 Chapter 16, Health and Sanitation, to add a new article relative to pain management  
9 clinics.

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11 NOW THEREFORE BE IT ORDAINED by the Slidell City Council that it does  
12 hereby amend the Code of Ordinances of the City of Slidell, Chapter 16, health and  
13 Sanitation, to add the following after Sec. 16-48:  
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15 **“ARTICLE IV. PAIN MANAGEMENT CLINICS**

16 **Sec. 16-46. Definitions**

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18 *Pain Management Clinic or "Clinic"*- a publicly or privately owned facility which  
19 primarily engages in the treatment of pain by prescribing narcotic medications.  
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21 *Physician*-an individual who:  
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- 23  
24 1. possesses a current, unrestricted license from the board to practice medicine in  
25 Louisiana;  
26  
27 2. during the course of his practice has not been denied the privilege of  
28 prescribing, dispensing, administering, supplying, or selling any controlled  
29 dangerous substance; and  
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31 3. during the course of his practice has not had board action taken against his  
32 medical license as a result of dependency on drugs or alcohol.  
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35 *Primarily Engaged*- the majority of patients, 51 percent or more of the patients  
36 seen on any day a clinic is in operation, are issued a narcotic prescription for the treatment  
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4 of chronic non-malignant pain. A physician who in the course of his practice, treats  
5 patients with chronic pain, shall not be considered primarily engaged in the treatment of  
6 chronic non-malignant pain by prescribing narcotic medications provided that the  
7 physician:  
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- 10 1. treats patients within their areas of specialty and who utilizes other treatment  
11 modalities in conjunction with narcotic medications;
- 12 2. is certified by a member board of the American Board of Medical Specialties, or  
13 is eligible for certification based upon his completion of an ACGME  
14 (Accreditation Council for Graduate Medical Education) certified residency  
15 training program;
- 16 3. holds medical staff privileges that are in good standing at a hospital in this state;  
17 and  
18 4. holds current federal and Louisiana controlled substance licenses.

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25 **Sec. 16-50. Ownership.**

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27 A. Except as specified in subsection B, each clinic shall be 100 percent owned  
28 and operated by a physician or physicians qualified or certified in the subspecialty of pain  
29 management by a member board of the American Boards of Medical Specialties.  
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32 B. A clinic in operation on or before January 1, 2009, is exempt from subsection A  
33 if all of the following requirements are met.  
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4 1. The clinic is not owned, either in whole or in part, by independent contract,  
5 agreement, partnership, or joint venture with a physician who during the  
6 course of his practice has:

- 7  
8 a. been denied the privilege of prescribing, dispensing, administering,  
9 supplying, or selling any controlled dangerous substance; and  
10  
11 b. had board action taken against his medical license as a result of  
12 dependency on drugs or alcohol.  
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15 2. The clinic is not owned, either in whole or in part, by an individual who has  
16 been convicted of, pled guilty or nolo contendere to a felony.  
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19 3. The clinic is not owned, either in whole or in part, by an individual who has  
20 been convicted of, pled guilty or nolo contendere to a misdemeanor, the facts  
21 of which relate to the use, distribution, or illegal prescription of any controlled  
22 substance.  
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25 4. The clinic shall operate as an urgent care facility offering primary or acute  
26 health services, in addition to caring for patients with chronic pain, and shall  
27 have held itself out to the public as an urgent care facility.  
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30 C. Any change of ownership shall be reported in writing to the City of Slidell  
31 Finance Department within five (5) working days of the transfer of ownership by any lawful  
32 means. The license of a clinic is not transferable or assignable between individuals, clinics  
33 or both. A license cannot be sold. The new owner shall submit all documents required for  
34 a new license including the licensing fee. Once all application requirements are completed  
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4 and approved by the Department, a new license shall be issued to the new owner.”  
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7 **ADOPTED** this 27th day of January, 2009.  
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10 Lionel Hicks  
11 Vice President of the Council  
12 Councilman, District A

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14 Ben O. Morris  
15 Mayor  
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18 Thomas P. Reeves  
19 Council Administrator  
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DELIVERED	10:45 a.m.
1/30/09	to the Mayor
RECEIVED	3:00 p.m.
2/6/09	from the Mayor