

2020 South Dakota Legislature  
**House Bill 1219**

**AMENDMENT 1219A FOR THE INTRODUCED BILL**

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

1 **An Act to require non-opioid alternatives to pain management.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1.** That a NEW SECTION be added:

4 **34-20A-114. Pain management—Non-opioid alternatives—Exceptions.**

5 Before a health care provider, acting within the scope of the provider's practice,  
6 may prescribe an opioid for the purpose of mitigating or alleviating a patient's pain, the  
7 provider shall recommend a non-opioid alternative for pain management. For purposes  
8 of this section, such alternatives include acupuncture, chiropractic services, massage  
9 therapy, occupational therapy, physical therapy, and participation in a pain management  
10 program.

11 The restriction set forth in this section does not apply:

12 (1) To a provider who, using sound medical judgment, determines and documents in  
13 the patient's medical file that:

14 (a) Following a major physical trauma or a surgical procedure, the patient's risk  
15 of adverse effects from pain outweighs the risk of opioid usage; or

16 (b) The patient would receive the greatest benefit from a course of treatment  
17 that includes an opioid prescription, while simultaneously pursuing a pain  
18 management alternative; or

19 (2) In the case of a patient who is receiving:

20 (a) Treatment for cancer;

21 (b) Palliative care;

22 (c) Hospice care; or

23 (d) Treatment for an opioid use disorder.