



Ministero della Salute



Italian Presidency
of the Council
of the European Union Italia2014.eu

Law 38/2010 on the agenda of the ITALIAN Government

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Ministero della Salute



Italian Presidency
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Law No. 38 dated 15 March 2010

“Regulations to guarantee access to palliative care and pain management”

Art. 1. ***(Aims).***

1. This law protects the rights of citizens to palliative care and pain management.



The Italian proposal described in the *position paper* calls for an extension of protection guarantees set forth by section 1 of Law 38/2010 to all European Citizens



Resolution of OMS A67/31

Strengthening of palliative care as a component of integrated treatment within the continuum of care

A recent study on the status of palliative care in 234 countries, areas or territories found that it was well integrated in health care systems in only 20 of these territories; 42% have no delivery system for palliative care services and in 32% service delivery reaches only a small percentage of the population.

In the document you are asked to develop, strengthen and implement, as appropriate, palliative care policies to support the comprehensive strengthening of health systems to integrate evidence-based, cost-effective and equitable palliative care services in the continuum of care, across all levels, with emphasis on primary care, community and home-based care, and universal coverage schemes





UNODC

United Nations Office on Drugs and Crime

Law 38/2010 was presented in Vienna on 20 March 2014 during the informal side event held during the Meeting of the UNODC «Commission on Narcotic Drugs», in order to include the contents regarding the management of opioid analgesics used in pain therapy, in the draft of the «model law» on **Access to controlled drugs for medical purposes.**



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The Italian Proposal following Law 38/2010

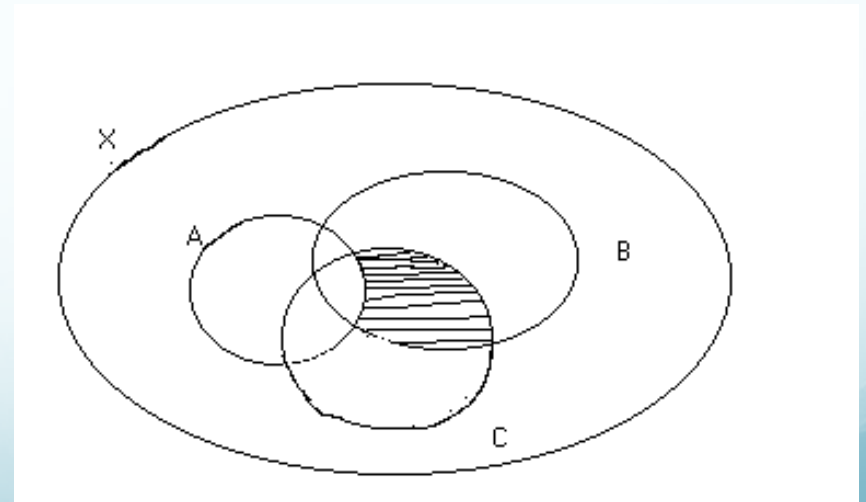




PAIN NETWORK

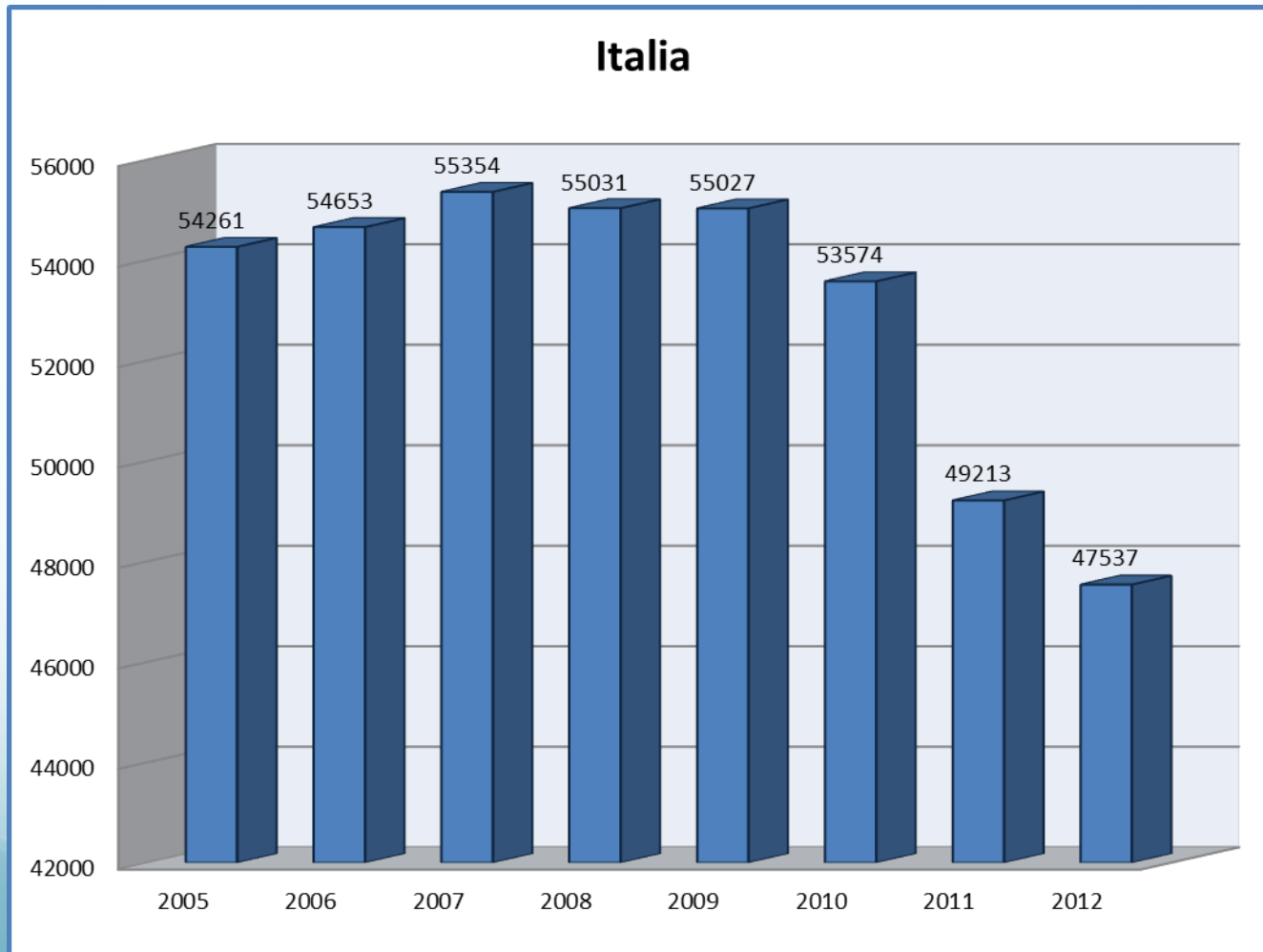
- Specialized centers for pain management (HUB)
- Outpatient pain management (SPOKE)
- G P practices that administer pain relief

The three levels
should complement
each other





Number of deceased patients in the acute medical ward of a hospital with a diagnosis of primary or secondary neoplasia. Trend for the years 2005 – 2012



Proposal to the Member States of the EU

Develop Guidelines for drug and non-drug treatment of chronic pain and monitoring of the same



Law 38/2010

*Art. 9
Ministerial monitoring of palliative care
and pain management*

*Art. 10
Simplification of the procedures for
access to drugs used in pain management*



Proposal to the Member States of the EU

Guarantee access to pain management and all the drugs currently available and essential for Palliative Care and Pain Management, even for children, above all as regards opioid drugs, in order to reduce health care inequality between regions and members of the EU in terms of equal right to health.



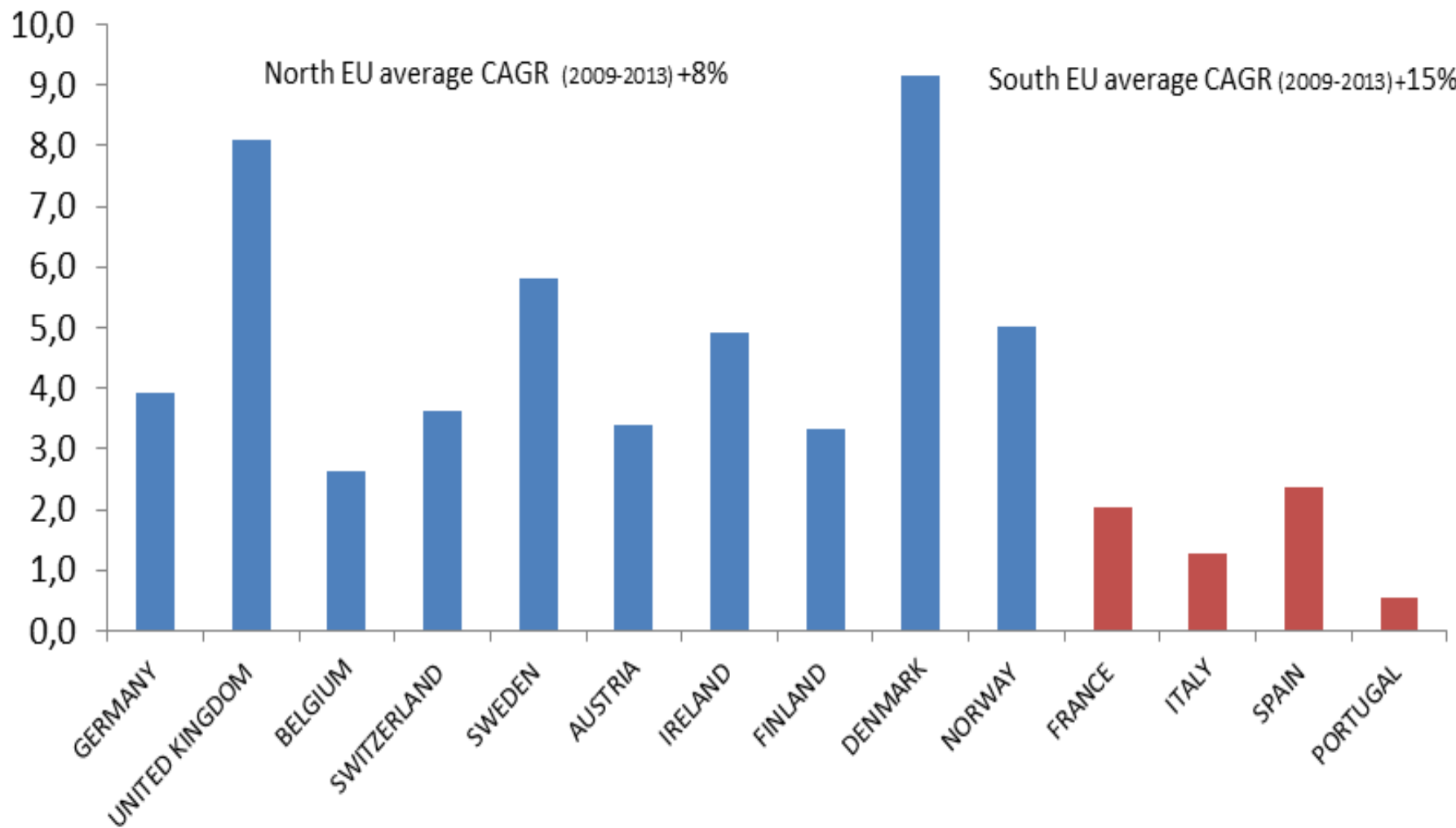
Law 38/2010

Art. 10

Simplification of the procedures for access to drugs used in pain management



PTDs per capita N2A 2013





USE OF OPIOID DRUGS IN THE MAIN EU COUNTRIES CONSUMPTION DATA

Class N2A ('000)	Country	Standard Unit 2010	Standard Unit 2011	2011 vs 2010	Standard Unit 2012	2012 vs 2011	Standard Unit 2013	2013 vs 2012	Standard Unit MAT 05/2014	CAGR 10-14 Std Unit
	GERMANY RETAIL	277.437	304.340	10%	333.356	10%	354.976	6%	365.236	7,12%
	UNITED KINGDOM RETAIL	786.081	1.048.178	33%	1.022.877	-2%	1.012.286	-1%	1.003.699	6,30%
	FRANCE RETAIL	160.265	174.824	9%	192.133	10%	206.566	8%	213.670	7,46%
	SPAIN RETAIL	51.863	63.709	23%	80.364	26%	100.254	25%	113.481	21,62%
	ITALY RETAIL	55.297	71.159	29%	96.109	35%	115.080	20%	124.164	22,41%
	DENMARK RETAIL	88.397	87.269	-1%	90.636	4%	89.479	-1%	89.834	0,40%
	SWITZERLAND RETAIL	35.085	37.912	8%	41.858	10%	44.299	6%	45.431	6,67%
	SWEDEN RETAIL	46.324	52.099	12%	59.438	14%	69.391	17%	72.928	12,01%
	BELGIUM RETAIL	16.488	18.708	13%	20.278	8%	22.433	11%	23.181	8,89%
	AUSTRIA RETAIL	24.205	26.848	11%	29.573	10%	32.255	9%	33.169	8,20%
	IRELAND RETAIL	36.701	37.390	2%	39.238	5%	41.286	5%	43.293	4,22%
	NORWAY RETAIL	22.934	23.885	4%	26.057	9%	28.367	9%	29.679	6,66%
	FINLAND RETAIL	9.435	10.392	10%	11.737	13%	13.431	14%	14.121	10,61%
	PORTUGAL RETAIL	2.142	2.244	5%	2.969	32%	3.525	19%	4.450	20,06%

Proposals to the Member States of the EU

Focus attention on planning and proposing adequate solutions to the needs of more vulnerable categories of patients such as children, the elderly and persons with neurocognitive and sensorimotor deficits.



*Law 38/2010
Art. 5*





The aim of the *paediatric network* is to guarantee continuing care (h24), offering highly complex and specialised solutions as close as possible to where the child lives, preferably his or her home.

The key aspects of the network are:

- Reference Centre for Paediatric Palliative Care and Pain Management
- Residential care (e.g. *Paediatric Hospice*)
- Hospital care (Paediatric wards)
- Basic and specialised home care (*Home Palliative Care Unit*)
- Territorial social – health services

Proposals to the Member States of the EU

Promote the organisation of institutional communication campaigns to raise awareness on the medical, financial and social impact that chronic pain, its management and palliative care have on patients, families, carers, employers and the health service, and inform citizens on how to access palliative care and pain management services and programmes



Law 38/2010

*Art. 4.
Information Campaigns*

Proposte agli Stati membri dell'UE

Raise the awareness of all health operators of the importance of prevention, diagnosis and management of chronic pain and palliative care, taking into account the specific aspects of paediatric care, above all through university and postgraduate courses and periodic refresher courses for medical and health staff and social workers involved in pain management and palliative care



Law 38/2010

Art. 8.

Training and updating medical and health staff on palliative care and pain management



Proposals to the Member States of the EU

Encourage the inclusion of Palliative Care and Pain Management, even in paediatrics, as an integral part of "undergraduate" courses for physicians and health operators, and in specialised training courses for professionals who continuously provide this type of care



Law 38/2010

Art. 8.

Training and updating of medical and health staff on palliative care and pain management

UNIVERSITY MASTER DEGREES

O.G. no. 89 dated 16 April 2012

Proposals to the Member States of the EU and European Commission

1. Create an *official European Day Against Pain*, or more generally, a day for the rights of patients, in order to raise public awareness, in collaboration with no-profit organisations and user associations whose participation is encouraged and supported;
2. Create an *official European Day for Palliative Care*, in order to raise public awareness and that of institutional stakeholders of the right of all patients affected by any chronic-degenerative disease in advanced or terminal stage, to receive palliative care and professional care in order to guarantee the dignity of the patient right to the last moments of life.



**CONSIGLIO INFORMALE DEI MINISTRI DELLA SALUTE DELL'UE
MILANO 23 SETTEMBRE 2014**

**CONCLUSIONI SESSIONE CURE PALLIATIVE
E TERAPIA DEL DOLORE**

**Ministri concordano su necessità di creare una rete europea e sviluppare
assistenza domiciliare**

Il Ministro della Salute Beatrice Lorenzin ha presentato oggi nella conferenza stampa conclusiva del Consiglio Informale dei Ministri della Salute dell'UE le conclusioni sulla sessione "cure palliative e terapia del dolore".

La Commissione Europea come la maggior parte dei Paesi membri sottolineano e ringraziano l'Italia per l'ottimo lavoro svolto sia per avere creato l'occasione di discutere a livello europeo di temi quali le cure palliative e la terapia del dolore sia per la qualità del documento presentato.

Quasi tutti i Paesi ritengono di fondamentale importanza la creazione di una rete europea per le cure palliative e la terapia del dolore incentrata principalmente nell'ambito di un maggiore impegno riguardo la formazione dei professionisti, lo scambio di informazioni reciproche soprattutto relative alle migliori pratiche, allo sviluppo dei network.

Purtroppo risulta ancora poco sviluppata a livello dei singoli Paesi membri lo sviluppo della rete pediatrica di cure palliative e terapia del dolore; lo sviluppo nell'uso dei farmaci dedicati alla terapia del dolore, specialmente oppioidi, risulta crescente soprattutto nei Paesi del sud Europa. E' auspicabile lo sviluppo di cure palliative e terapia del dolore anche per altre fasce fragili di popolazione quali i pazienti anziani.

Molte nazioni si sono dotate di leggi specifiche specialmente per lo sviluppo delle cure palliative. L'Italia è l'unico Paese ad avere approvato a livello legislativo una norma quadro.

La ricerca assume un ruolo fondamentale come ha più volte ribadito la Commissione.

Dal dibattito è emerso che vi è una certa differenza di opinioni sulla opportunità di organizzare giornate dedicate alla terapia del dolore, ma le delegazioni hanno tutte concordato sulla necessità di un rafforzamento delle campagne di informazione volte ad aumentare la consapevolezza dei cittadini sul problema.

E' innegabile la necessità di sviluppare reti assistenziali domiciliari al fine di assicurare ai pazienti la possibilità di permanere a domicilio fino al termine della loro vita. Questo è un punto sul quale si sono trovati concordi tutti i Paesi europei.



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 **PAIN PATIENT**
Pathway
RECOMMENDATIONS

