**Kate M. Nicholson**

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901-409-9480 kate@nationalpain.org

**SKILLS & MOTIVATION**

• Thought leader in public health policy on pain, engaging with national media and speaking to think tanks, universities, policymakers, and professional societies.

• Non-profit founder and executive.

• Civil rights attorney, formerly with U.S. Department of Justice. Primary drafter of Americans with Disabilities Act regulations.

**ADVOCACY**

*Executive Director and Founder,***The National Pain Advocacy Center***,* September 2019-present*.*

Launched and direct national non-profit dedicated to advancing the health and human rights of people in pain. We are a coalition of scientists and clinicians, experts in health policy and civil rights, and people with lived experience of pain. We envision a world in which pain is treated equitably and effectively, <https://nationalpain.org>. NPAC takes no industry funding and is supported by grants from the Ford Foundation, Open Societies Foundation, Borealis Philanthropy, the National Institutes of Health, and others.

*U.S. Member,* **International Association for the Study of Pain Global Advocacy Task Force**, March 2022-present.

U.S. representative of the task force charged with global advocacy with the World Health Organization (WHO) and others.

*Advisory Board Member*, **Integrate-Pain Consortium (a joint effort of the National Institutes of Health (NIH) and the European Union’s IMI-Pain Care)**, February 2022-present.

Advise on joint NIH-EU pain consortium setting core domains for research for acute, chronic, and episodic pain as well as acute to chronic translation.

*Appointed Member*, **Centers for Disease Control and Prevention Opioid Workgroup**, July 2020-July 2021.

Appointed to Workgroup to provide expert input and observations on the update/expansion of the [*CDC Guideline for Prescribing Opioids for Chronic Pain - United States, 2016*](https://www.cdc.gov/mmwr/volumes/65/rr/rr6501e1.htm?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fmmwr%2Fvolumes%2F65%2Frr%2Frr6501e1er.htm).

*Provisional Appointee*, Interagency Pain Research Coordinating Committee, **National Institutes of Health**, 2022-present.

Provisionally appointed to the federal committee overseeing all pain research (awaiting final approval by the Secretary of HHS).

*Fellow,***Mayday Pain & Society Fellowship***,* 2019-2020.

Awarded fellowship that encouragespain experts to assume public leadership roles by engaging in public discourse and political advocacy about science, research, and best practices.

*SELECTED SPEAKING*

Speaker, **World Health Organization,** *Unlocking the potential of ICD-11 for chronic pain*, organized in partnership with the World Health Organization and IASP regarding the new worldwide standard for diagnosis, June 14, 2023.

Panelist, **Canadian Pain Society** Annual Scientific Meeting, *First, Do No Harm*, May 10-12, 2023.

Speaker, **Cornell University**, Digital Pain Technologies: Promises and Problems. A Cross-Disciplinary Workshop, May 1-2, 2023.

Speaker, *Equity and Access: How the Policy Environment Shapes Care of People with Pain, People with Addiction and those at the Intersection*, **UCSF Pain and Addiction Research Center (PARC)**, April 26, 2023.

Faculty, **2023 RX and Illicit Drug Summit**, April 10-13, Atlanta, Georgia.

Keynote Speaker, *Advocacy, Equity, and the Lived Experience of Pain*, Conference: A Picture of Pain, **UCSF**, Feb 28, 2023.

Testifier, **Colorado House, Colorado Senate**, in favor of S.B.144, Feb-March 2023.

Core Faculty, **American Society of Regional Anesthesia and Pain Medicine (ASRA)** **21st Annual Pain Medicine Meeting**. Addressed medico-legal, policy, and patient issues in several sessions at one of the largest conferences of pain management clinicians. November 17-19, 2022.

Workshop Co-Leader (with Maia Szalavitz), *Telling Our Own Stories: How to Write an Effective Opinion Piece and Get it Placed* and Speaker, *Harm Red Talks: Why Pain Management is Harm Reduction*, **National Harm Reduction Conference**, October 13, 2022.

Symposium Moderator and Speaker, *No Singular Solution: Prescribing, Tapering, and the Opioid Pendulum Swing*, **International Association for the Study of Pain (IASP) 2022 World Congress on Pain**, September 20, 2022.

Symposium Moderator and Speaker*, Pain Inequities and Disparities: The Importance of Intersectionality*, **USASP 2022 Annual Scientific Meeting**, May 20, 2022.

Podcast Guest, **ACLU’s At Liberty***,* [*Pain Relief is a Civil Right*](https://www.aclu.org/podcast)*,* April 28, 2022.

Co-chair, *Congressional Briefing* on proposed 2022 CDC Prescribing Guideline, **U.S. Congress**, March 2022.

Invited Presenter, **International Association for the Study of Pain** uplift conference, *Experience and Evidence-Based Advocacy through Rights and Equity Lens,* November 2021.

Invited Panelist, **Food and Drug Administration** **Public Workshop** on *REMS Opioid Prescriber Education*, October 2021.

Testimony presenter, **Food and Drug Administration Summit** on *Morphine Milligram Equivalents, Current Applications and Knowledge Gaps*, June 2021.

Innovation Abstract Presenter, *Colliding Stigmas: Pain and Addiction in an Overdose Crisis*; *Changing the Narrative: De-stigmatizing Substance Use, Addiction, and Pain in the Media*, **National Academy of Medicine** **Stigma of Addiction Summit**, June 2021.

Panelist, *Advocacy for Policy Changes to Improve Treatment of Chronic Pain*, **US Association for the Study of Pain 2020 Annual Scientific Meeting**, December 11, 2020.

Panelist*,* [*Don’t Forget People Living in Pain*](https://www.cato.org/events/dont-forget-people-living-pain-how-war-opioids-causing-chronic-pain-patients-unnecessary?&utm_source=twitter&utm_medium=social-media&utm_campaign=addtoany)(Pain treatment in COVID-19)*,* **CATO Institute**, May 2020.

Invited Testifier, *Hearings on* *Opioid Bills,* **Colorado Legislature**, October 2019.

Panelist*,* [*Patients, Privacy, and PDMPs: Exploring the Impact of Prescription Drug Monitoring Programs*](https://www.cato.org/events/patients-privacy-and-pdmps)*,* **CATO Institute**, October 2019.

Guest, **Changing the Narrative** on[*Opioids and Pain*](https://bluejeans.com/s/bYWwS)*,* August 2019.

Panelist, **National Academy of Medicine***,* Action Collaborative on Countering the U.S. Opioid Epidemic*,* [*Tapering Guidance for Opioids: Existing Best Practices and Evidence Standards*](https://nam.edu/event/webinar-tapering-guidance-for-opioids-existing-best-practices-and-evidence-standards/)*,* July 2019.

Keynote speaker*, Pain, Resilience, and How We Heal*, **Healthy Women**,Summit on Women and Chronic Pain, July 2019.

Keynote speaker, **Southern Pain Society**, September 2018.

Keynote speaker, *The Other Side of the Story: Pain and the Opioid Crisis*, **Tulane University**, April 2018.

[*What We Lose When We Undertreat Pain*,](https://www.youtube.com/watch?v=u4vHSLeTe-s) **TEDxBoulder**, October 2017.

Keynote Speaker, *Colliding Epidemics of Pain and Addiction the US,* Conference on the Politics and Ethics of Healthcare, **Dartmouth College**, August 2016.

*SELECTED WRITING*

[*Opinion: Don’t curb opioid prescriptions through telemedicine. They’re saving lives*](https://www.latimes.com/opinion/story/2023-04-15/opioid-prescriptions-through-telemedicine-are-saving-lives), ***Los Angeles Times***, April 15, 2023.

[*ASRA Pain Medicine Consensus Guidelines on the Management of the Perioperative Patient on Cannabis and Cannabinoids*](https://rapm.bmj.com/content/48/3/97), ***Regional Anesthesia & Pain Medicine***, 2023; 48:97-117, Jan 3, 2023. (Consensus guideline of 12-member expert panel).

[*CDC’s Updated Opioid Guidelines Are Necessary, But Not Sufficient: Additional Steps are Needed to Calibrate Opioid Access and Undo Harm*](https://www.medpagetoday.com/opinion/second-opinions/101825?trw=no)*,* ***MedPage Today Second Opinion***, November 18, 2022.

[*How Rochelle Walensky Can Improve the CDC’s Pain Guidelines*](https://washingtonmonthly.com/2022/03/24/how-rochelle-walensky-can-improve-the-cdcs-pain-guidelines/)*,* ***Washington Monthly***, March 24, 2022.

[*Undoing Harm in Chronic Pain and Opioid Prescribing*](https://ajph.aphapublications.org/doi/10.2105/AJPH.2021.306662)*,* ***American Journal of Public Health*** 112(S1), pp. S18–S20, Supplement on US Opioid and Pain Crises: Gaps and Opportunities in Multidisciplinary Research, February 10, 2022.

[*Reducing Health Disparities Through Achieving Pharmacoequity*](https://jamanetwork.com/journals/jama/article-abstract/2788789?utm_source=twitter&utm_campaign=content-shareicons&utm_content=article_engagement&utm_medium=social&utm_term=020822#.YgKfB6Xtjkg.twitter), ***JAMA***327(6):589-590, February 8, 2022.

[*Another fight for COVID long-haulers: having their pain acknowledged*](https://www.statnews.com/2021/12/02/long-covid-pain-not-acknowledged/), **STAT *First Opinion***, December 2, 2021.

[*Rationing and Disability in a Time of Crisis: The Civil Rights and Wrongs of Clinical Triage Protocols*](https://scholarlycommons.law.wlu.edu/wlulr/vol78/iss4/3/)*,* ***Washington and Lee Law Review****,* vol. 78, issue 4, fall 2021. Commentary on the state clinical triage protocols for rationing healthcare in a time of crisis. Earlier draft named one of the best works of legal scholarship in health law by [JOTWELL, The Journal of Things We Like (Lots)](https://health.jotwell.com/addressing-the-tension-between-discrimination-law-and-pandemic-clinical-triage-protocols/).

[*The Opioids Crisis: Don’t Punish Pain Patients To Treat Opioid Addiction*](https://washingtonmonthly.com/2021/08/19/the-opioids-crisis-dont-punish-pain-patients-to-treat-opioid-addiction/)*,*

*Why a sin tax on opioids is not like a sin tax on sugary drinks*, ***Washington Monthly***,August 19, 2021.

[*The Opioid Crackdown is Hurting People with Pain*](https://washingtonmonthly.com/2021/06/15/the-opioid-crackdown-is-hurting-people-in-pain/), ***Washington Monthly***, June 15, 2021.

[*We must not leave the vulnerable out if we have healthcare rations*](https://thehill.com/opinion/healthcare/528099-we-must-not-leave-the-vulnerable-out-if-we-have-health-care-rations)*,* ***The Hill****,* December 2020.

[*Opioid Prescribing and the Ethical Duty to Do No Harm*](https://journals.sagepub.com/doi/abs/10.1177/0098858820933500?journalCode=jlma)*,* ***American Journal of Law & Medicine,*** July 2020.

[*No More ‘Shortcuts’ in Prescribing for Chronic Pain. Millions of Americans Need Nuanced Care,*](https://www.statnews.com/2019/04/26/no-shortcuts-prescribing-opioids-chronic-pain/comment-page-2/) ***STAT First Opinion****,* April 2019.

[*One of us was a pain patient saved by opioids, the other was addicted to them.  We both deserve a solution*](https://www.latimes.com/opinion/op-ed/la-oe-hampton-nicholson-opioid-addiction-pain-treatment-20190403-story.html), ***Los Angeles Times***, April 2019.

[*The Problem with One-Size-Fits-All Limits on Opioid Prescriptions,*](https://www.washingtonpost.com/outlook/2019/04/04/problems-with-one-size-fits-all-laws-opioid-prescriptions/?utm_term=.aa9495c66863)***The Washington Post***,April 2019.

[*The Clampdown on Opioid Prescriptions is Hurting Pain Patients*,](https://www.latimes.com/opinion/op-ed/la-oe-nicholson-opioids-20190118-story.html) ***Los Angeles Times***, January 2019 (syndicated and reprinted in various publications).

[*International Stakeholder Letter on Forced Tapering,*](https://academic.oup.com/painmedicine/advance-article/doi/10.1093/pm/pny228/5218985)***Pain Medicine***, November 2018.

[*Overzealous Use of the CDC’s Opioid Prescribing Guideline is Harming Pain Patients*](https://www.statnews.com/2018/12/06/overzealous-use-cdc-opioid-prescribing-guideline/)*,* ***STAT First Opinion***, December 2018.

[*The Other Side of the Opioid Epidemic—We’re People in Severe Pain,*](https://thehill.com/opinion/healthcare/374246-the-other-side-of-the-opioid-epidemic-were-people-in-severe-pain)***The Hill***, February 2018 (reprinted in various other publications).

[*At Pain’s Weak Mercy*](https://dartmouthalumnimagazine.com/articles/pains-weak-mercy)*,* ***Dartmouth Alumni Magazine***, March/April 2017. Personal essay.

Frequently quoted in national media, including the ***New York Times,*** ***Washington Post, Scientific American,*** ***Fox News****,* ***Guardian, Newsweek****,* ***NBC News, US News and World Report, BBC****,* ***Huffington Post****,* and others.

 *SELECTED LAW/POLICY INFLUENCE*

**U.S. Supreme Court *amicus curiae* brief.** Filed [*amicus curiae*](https://www.supremecourt.gov/DocketPDF/20/20-1410/206470/20211227110519477_National%20Pain%20Adv%20Ctr%20Amicus%20Brief.pdf)(friend of the court) brief on the potential chilling effects on care of people who require the use of controlled medication of lack of appropriate standards under the Controlled Substances Act. A Unanimous (9-0) opinion written by Justice Breyer adopted our position and argument.

**Center for Medicare and Medicaid Services (CMS).** Successfully urged CMS to expand coverage of chronic pain by creating special coding for chronic pain management in 2022.

**Centers for Disease Control and Prevention (CDC)*.*** Met with the CDC and other federal agencies in March of 2019 to raise awareness of the misapplication and devastating unintended effects on patients with cancer, sickle cell, MS, and other chronic conditions of the 2016 Guideline for Prescribing Opioids for Chronic Pain. Successfully urged the agency to issue correctives. Appointed by the Board of Scientific Advisors in 2020-2021 to CDC Opioid Workgroup to help update the Guidelines. Updated Guidelines issued in 2022 acknowledge and correct for harm to pain patients.

**Oregon Medicaid Proposal.** Established a network of national experts in pain and addiction as well as disability and human rights advocates to stop a proposal that risked the health of more than 100,000 Medicaid patients, by summarily dropping coverage of their conditions. In May 2019, [Oregon announced](https://www.opb.org/news/article/oregon-opioid-tapering-health-plan/) it would not move ahead with the policy.

**Congress & Testimony in State Legislatures.** Provided solicited testimony. Advocated with policymakers on pain and the overdose crisis. Recently shepherded a pain bill through the Colorado House and Senate (2023).

**Federal Agencies.** Advised and provided training to federal agencies, including Centers for Medicare and Medicaid Services, the Department of Justice, and federal agency members of the

disability policy group.

**Democratic Platforms.** Helped develop disability and substance use platforms of Democratic Presidential candidates, including Joseph Biden, Bernie Sanders, Elizabeth Warren, and Julian Castro, among others.

 *SELECTED COLLABORATIONS*

Expert and Collaborator, **Changing the Narrative**, Action Lab at the Center for Health Policy and Law, Northeastern University, 2019-present.

Work to equip journalists and opinion leaders with provide accurate, humane, and scientifically-grounded information on pain, addiction, and the overdose crisis.

Former Co-Chair and Member,Chronic Pain/Opioids Task Force*,* **National Council on Independent Living**, 2017-present.

Spearheaded pain policy and advocacy for the nation’s largest disability rights organization.

*Advisory Board Member,***Alliance to Advance Comprehensive Integrative Pain Management***,* 2019-present.

Advise on initiative to bring together payers, providers, and policymakers to transform the delivery of integrative pain care.

*Member*, Chronic Pain Advisory Council, **HealthyWomen**, 2019-present.

*Member*, Harm Reduction, Drug Policy, and Criminal Justice Reform Roundtables, **Drug Policy Alliance**, 2021-present.

*Founding Member,* Disability Economic Justice Collaborative, The **Century Foundation**, April 2022-present.

 **CIVIL RIGHTS LEGAL EXPERIENCE**

*Attorney and Manager,* **U.S. Department of Justice**, **Civil Rights Division**, Washington, D.C., 1993-2013. Appointed through Attorney General’s Honors Program. Served as:

*Director,***U.S Attorney’s Program for ADA Enforcement**.

Oversaw thousands of cases from inception to conclusion in U.S. Attorney’s Offices nationwide, training and supervising Assistant U.S. Attorneys with no background in civil rights enforcement. Expanded program to include more than 250 Assistant U.S. Attorneys in 80 Offices, representing a substantial quotient of Department’s ADA work.

*Acting Deputy Chief,* **Disability Rights Section**.

Managed Division litigation attorneys in matters involving HIV/AIDS and other discrimination in healthcare, employment, transportation, and developing technologies.

*Reasonable Accommodation Coordinator*, **Civil Rights Division**.

Developed Civil Rights Division and Departmental internal reasonable accommodation policies and procedures and served as reasonable accommodation manager.

*Senior Attorney Advisor,* **Disability Rights Section**.

Primarily drafted the current ADA regulations, which became effective in 2011 and 2012, the first comprehensive update since the regulation was originally promulgated in 1991. Ushered 5 major rules through notice and comment rulemaking. Coordinated federal government efforts to enforce US Supreme Court’s opinion in *Olmstead v. LC*. Spearheaded development of policies on web and digital accessibility.

*Litigation Attorney*, **Disability Rights Section**.

Successfully litigated cases of first impression; conducted complex, multi-party negotiations; and defended ADA against constitutional challenges. Highlights include successfully resolving the first case the Department brought under the ADA and litigating seminal HIV discrimination case, *Bragdon v. Abbott.*

**RESIDENCIES, ARTS & CULTURE**

*Fellow,* **Virginia Center for the Creative Arts (VCCA).** Received residency for nonfiction writing, July-August 2022.

*Founding Board*, **Tilt West**, Denver, Colorado, 2016-present. Co-founded cultural non-profit, [Tilt West](https://www.tiltwest.org/), Colorado’s hub for community exchange and provocative conversations about art, ideas, and culture. [Best of Denver](https://www.westword.com/best-of/2017/arts-and-entertainment/best-think-tank-for-arts-and-culture-8915866) award in its first year of operation. Past President and Managing Editor of vols 1 & 2, [*Tilt West Journal*](http://journal.tiltwest.org/vol1/)*.* Current Editor, [*Medium*](https://medium.com/%40tiltwest)*.*

*Advisory Board Member*, **Ulrich Museum of Art**, Wichita, Kansas, 2020-present.

*Advisory Board* and *Collections Committee Member*, **University of Colorado Art Museum**, Boulder, Colorado, 2016-2022.

*Board Member,* **Creative Catalyzers**, Boulder, Colorado,2019-2022. Advise non-profit cultural leadership organization that connects the tech industry, the arts, and sustainable businesses for projects that serve marginalized populations.

**EDUCATION & LICENSING**

**Harvard Law School**,Cambridge, Massachusetts, J.D., *with Honors,* 1992.

**Dartmouth College**, Hanover, New Hampshire. A.B., *with* *High Honors,* 1986. *Senior Fellow.* *Phi Beta Kappa.*

**U.S. Court of Appeals for the First Circuit**, Judicial Clerk to the Honorable Hugh H. Bownes,Boston, Massachusetts, 1992-3.