2013 -- H 5204 AS AMENDED

LC00393

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

AN ACT

RELATING TO HEALTH AND SAFETY - STATE PALLIATIVE CARE AND QUALITY OF LIFE ACT

Introduced By: Representatives McNamara, Bennett, Palumbo, Serpa, and Malik

Date Introduced: January 30, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby 2 amended by adding thereto the following chapter: 3 **CHAPTER 89** THE RHODE ISLAND PALLIATIVE CARE AND QUALITY OF LIFE ACT 4 5 23-89-1. Establishment of advisory council - Purposes. -- (a) There is hereby 6 authorized, created and established a nine (9) member advisory council to be known as "The 7 Rhode Island Palliative Care and Quality of Life Interdisciplinary Advisory Council" within the 8 department of health with the powers and duties set forth in this chapter. 9 (b) The director of the department of health shall appoint nine (9) members to the council 10 who shall have expertise in various aspects of palliative care including, but not limited to, 11 medical, nursing, social work, pharmacy and spiritual; and patient and family caregivers. 12 Membership shall specifically include experience in palliative care in a variety of inpatient, 13 outpatient and community settings such as acute care, long-term care and hospice and with a 14 variety of populations including pediatric, youth and adult care. One (1) council member shall be 15 a designee of the Rhode Island American Cancer Society and two (2) members shall be a chief executive of a licensed homecare agency or their designee. At least two (2) council members 16 shall be board-certified hospice and palliative medicine physicians and/or nurses. Members shall 17

serve for a term of three (3) years. Members shall receive no compensation for their services.

1	(c) The Rhode Island palliative care and quality of life interdisciplinary advisory council
2	shall consult with and advise the department of health on matters related to the establishment,
3	maintenance, operation, and outcomes evaluation of palliative care initiatives in the state.
4	23-89-2. Establishment of palliative care consumer and professional information
5	and education program (a) There is hereby created and established a statewide "Palliative
6	Care Consumer and Professional Information and Education Program" within the department of
7	<u>health.</u>
8	(b) The purpose of the palliative care consumer and professional information and
9	education program shall be to maximize the effectiveness of palliative care initiatives in the state
10	by ensuring that comprehensive and accurate information and education about palliative care is
11	available to the public, healthcare providers, and healthcare facilities.
12	(c) The department of health shall publish on its website information and resources,
13	including links to external resources, about palliative care delivery for the public, healthcare
14	providers, and healthcare facilities. This shall include, but not limited to, continuing educational
15	opportunities for healthcare providers; information about palliative care delivery in the home,
16	primary, secondary, and tertiary environments; best practices for palliative care delivery; and
17	consumer educational materials and referral information for palliative care, including hospice.
18	(d) The department of health may develop and implement any other initiatives regarding
19	palliative care services and education that the director determines would further the purposes of
20	this subsection.
21	(e) The department shall consult with the palliative care and quality of life
22	interdisciplinary advisory council in implementing this section.
23	23-89-3. Access to palliative care (a) As used in this section, the following terms
24	shall have the following meanings:
25	(1) "Appropriate" means consistent with applicable legal, health and professional
26	standards, the patient's clinical and other circumstances, and the patient's reasonably known
27	wishes and beliefs.
28	(2) "Medical care" means services provided, requested, or supervised by a physician or
29	advanced practice nurse.
30	(3) "Palliative care" means patient and family centered medical care that optimizes
31	quality of life by anticipating, preventing, and treating suffering caused by serious illness.
32	Palliative care throughout the continuum of illness involves addressing physical, emotional,
33	social, and spiritual needs and facilitating patient autonomy, access to information, and choice.
34	Palliative care includes, but is not limited to, discussions of the patient's goals for treatment;

1	discussion of treatment options appropriate to the patient, including, where appropriate, hospice
2	care; and comprehensive pain and symptom management.
3	(4) "Serious illness" means any medical illness or physical injury or condition that
4	substantially impacts quality of life for more than a short period of time. Serious illness includes,
5	but is not limited to, cancer; heart, renal or liver failure; lung disease; and Alzheimer's disease
6	and related dementias.
7	(b) On or before January 1, 2015, all healthcare organizations which required a license to
8	operate shall:
9	(1) Consult with the organization's physicians to educate them on how to provide
10	information about appropriate palliative care services for those patients or residents with serious
11	illnesses, who, in their professional medical opinion, would benefit from them.
12	(c) The department shall carry out this section with the consultation of the palliative care
13	and quality of life interdisciplinary advisory council.
14	(d) In carrying out this section, the department shall take into account factors that may
15	impact the development of such a system and its ability to facilitate access to palliative care,
16	including the size of the healthcare organization; access and proximity to palliative care services,
17	including the availability of hospice and palliative care board-certified practitioners and related
18	workforce staff; and geographic factors.
19	SECTION 2. This act shall take effect upon passage.
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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO HEALTH AND SAFETY - STATE PALLIATIVE CARE AND QUALITY OF LIFE ACT

This act would establish the "Rhode Island Palliative Care and Quality of Life

Interdisciplinary Advisory Council" within the department of health and would require healthcare

organizations to provide information about palliative care to appropriate patients.

This act would take effect upon passage.

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