ACT No. 2015 - 207

SB95

162833-4

By Senator Waggoner

RFD: Health and Human Services

First Read: 03-MAR-15



SB95

ENROLLED, An Act,

Relating to the State Health Department and palliative care; to establish a State Advisory Council on Palliative Care and Quality of Life; to provide for the appointment of the members and the duties of the council; and to provide for the establishment of a statewide palliative care education program within the department.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The purpose of this act is to improve consumer awareness of patient centered and family focused palliative care in this state by establishing a State Advisory Council on Palliative Care and Quality of Life within the State Health Department and to provide for the establishment within the department of a palliative care consumer and professional information and education program.

Section 2. (a) Not later than 180 days after the effective date of this act, the State Health Department shall establish a State Advisory Council on Palliative Care and Quality of Life within the department.

(b) The council membership shall be appointed by the State Health Officer and shall include interdisciplinary palliative care medical, nursing, social work, pharmacy, and

spiritual professional expertise; patient and family caregiver advocate representation and any other relevant appointees the State Health Officer determines appropriate. The State Health Officer shall consider the racial, gender, geographic, urban/rural, and economic diversity of the state when appointing members. Membership shall specifically include health professionals having palliative care work experience or expertise in palliative care delivery models in a variety of inpatient, outpatient, and community settings such as acute care, long-term care, and hospice and with a variety of populations, including pediatric, youth, and adults. At least one council member shall be a board-certified hospice and palliative medicine physician and one member a licensed Certified Registered Nurse Practitioner. At least one council member shall be designated by the Alabama Hospital Association, at least one council member shall be designated by the Alabama Nursing Home Association, at least one council member shall be designated by the Home Care Association of Alabama, at least one council member shall be designated by the Alabama Durable Medical Equipment Association, at least one council member shall be designated by the Alabama Pharmacy Association, and at least one council member shall be designated by the Alabama Hospice and Palliative Care Organization. Council members shall be appointed for a term of three years, but may be replaced at the discretion of the

State Health Officer. The members shall elect a chair and vice chair whose duties shall be established by the council. The council shall fix a time and place for regular meetings and shall meet not less than twice yearly.

(c) Council members shall receive no compensation for their services.

(d) The State Advisory Council on Palliative Care and Quality of Life shall consult with and advise the State Health Officer and the department on matters related to the establishment, maintenance, and operation of palliative care initiatives in this state.

Section 3. There is created a statewide Palliative Care Information and Education Program in the State Health Department. The purpose of the palliative care information and education program is to maximize the effectiveness of palliative care initiatives in the state by ensuring that comprehensive and accurate information and education about palliative care is available to the public, health care providers, and health care facilities. The department shall publish on its website information and resources, including links to external resources, about palliative care for the public, health care providers, and health care facilities. This information shall include, but not be limited to, continuing educational opportunities for health care providers; information about palliative care delivery in the

home and in other primary, secondary, and tertiary environments; and consumer educational materials and referral information for palliative care, including hospice. The department may develop and implement any other initiatives regarding palliative care services and education that the department determines would further the purposes of this section.

(b) The department shall consult with the State Advisory Council on Palliative Care and Quality of Life in implementing this section.

(c) The information gathered by the State Advisory Council on Palliative Care and Quality of Life, and any information published by the State Department of Public Health pursuant to this act, shall not be construed to establish a standard of care for physicians and hospitals, as hospitals are defined in Section 22-21-20, Code of Alabama 1975, or otherwise modify, amend, or supersede any provision of the Alabama Medical Liability Act of 1987 or the Alabama Medical Liability Act of 1996, commencing with Section 6-5-540, Code of Alabama 1975, et seq., or any amendment thereto, or any judicial interpretation thereof. A physician or hospital shall not have legal liability or responsibility for claims resulting or derived from any of the information produced or disseminated pursuant to this act.

Section 4. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.

Kay Ivey

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB95
Senate 02-APR-15
I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 14-MAY-15

By: Senator Waggoner

APPROVED May 26, 2015

TIME 8:15 AM

Robert Bentley

GOVERNOR

Alabama Secretary Of State

Act Num....: 2015-207
Bill Num...: S-95

Recv'd 05/26/15 10:26amSAM

Waggoner

CO-SPONSORS

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I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 95.

yeas 28 nays 0 abstain 0

PATRICK HARRIS,
Secretary

I hereby certify that the notice & proof is attached to the Bill, SB _____ as required in the General Acts of Alabama, 1975 Act No. 919.

PATRICK HARRIS,
Secretary

CONFERENCE COMMITTEE

Senate Conferees _____

DATE: 4-7 **20**15

RD 1 RFD HEALTH

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on Health was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed w/amend(s) _____ w/sub _____.

This 29 day of April, 20 15.

Apu Vaiwic Chairperson

DATE: 4-30 **20**15

RF **RD 2 CAL**

DATE: **20**___

RE-REFERRED RE-COMMITTED

Committee _____

I hereby certify that the Resolution as required in Section C of Act No 81-889 was adopted and is attached to the Bill, SB 95

YEAS 100 NAYS 0

JEFF WOODARD,
Clerk

FURTHER HOUSE ACTION (OVER)