

House Bill 509 (AS PASSED HOUSE AND SENATE)

By: Representatives Petrea of the 166th, Stephens of the 164th, Tankersley of the 160th, Hitchens of the 161st, and Williams of the 119th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to health
2 care facilities, so as to implement initiatives to improve quality and delivery of patient
3 centered and family focused palliative care in this state; to provide for legislative intent; to
4 provide for definitions; to create the Georgia Palliative Care and Quality of Life Advisory
5 Council; to establish a state-wide Palliative Care Consumer and Professional Information and
6 Education Program; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to health care
11 facilities, is amended by revising Article 10, which is reserved, to read as follows:

12 "ARTICLE 10

13 31-7-190.

14 The intent of the General Assembly in enacting this article is to improve quality and
15 delivery of patient centered and family focused palliative care in this state.

16 31-7-191.

17 As used in this article, the term:

18 (1) 'Commissioner' means the commissioner of community health.

19 (2) 'Department' means the Department of Community Health.

20 (3) 'Georgia Palliative Care and Quality of Life Advisory Council' or 'council' means the
21 advisory council created pursuant to Code Section 31-7-192.

22 (4) 'Health care facility' means hospitals; other special care units, including but not
23 limited to podiatric facilities; skilled nursing facilities; intermediate care facilities;

24 assisted living communities; personal care homes; ambulatory surgical or obstetrical
 25 facilities; health maintenance organizations; home health agencies; and diagnostic,
 26 treatment, or rehabilitation centers.

27 (5) 'Palliative care' means those interventions which are intended to alleviate suffering
 28 and to achieve relief from, reduction of, or elimination of pain and of other physical,
 29 emotional, social, or spiritual symptoms of distress to achieve the best quality of life for
 30 the patients and their families.

31 31-7-192.

32 (a) There is hereby created the Georgia Palliative Care and Quality of Life Advisory
 33 Council within the department. The council shall be composed of nine members, as
 34 follows:

35 (1) The chairperson of the House Committee on Health and Human Services, or his or
 36 her designee;

37 (2) The chairperson of the Senate Health and Human Services Committee, or his or her
 38 designee;

39 (3) Two members appointed by the Speaker of the House of Representatives;

40 (4) Two members appointed by the President of the Senate; and

41 (5) Three members appointed by the Governor.

42 The appointing authorities are encouraged to coordinate their appointments so that the
 43 council includes interdisciplinary palliative care medical, nursing, social work, pharmacy,
 44 and spiritual professional expertise; patient and family caregiver advocate representation;
 45 and any relevant appointees from the department or other state entities or councils.

46 Membership should include health professionals who have palliative care work experience
 47 or expertise in palliative care delivery models in a variety of inpatient, outpatient, and
 48 community settings, such as acute care, long-term care, or hospice, and with a variety of
 49 populations, including pediatric, youth, and adult patients. It is preferable that at least two
 50 councilmembers are board certified hospice and palliative medicine physicians or nurses.

51 (b) Appointed councilmembers shall serve for a period of three years. The members shall
 52 elect a chairperson and vice chairperson from among their membership whose duties shall
 53 be established by the council.

54 (c) The department shall fix a time and place for regular meetings of the council, which
 55 shall meet at least twice yearly.

56 (d) Councilmembers shall receive no compensation for their services but shall be allowed
 57 actual and necessary expenses in the performance of their duties. Any legislative members
 58 of the council shall receive the allowances provided for in Code Section 28-1-8. Citizen
 59 members shall receive a daily expense allowance in the amount specified in subsection (b)

60 of Code Section 45-7-21 as well as the mileage or transportation allowance authorized for
 61 state employees. If any members selected to serve on the council are state officials, other
 62 than legislative members, or are state employees, they shall receive no compensation for
 63 their services on the council, but shall be reimbursed for expenses incurred in the
 64 performance of their duties as members of the council in the same manner as
 65 reimbursements are made in their capacity as state officials or state employees. The funds
 66 necessary for the reimbursement of the expenses of state officials, other than legislative
 67 members, and state employees shall come from funds appropriated to or otherwise
 68 available to their respective departments.

69 (e) The council shall consult with and advise the department on matters related to the
 70 establishment, maintenance, operation, and outcomes evaluation of palliative care
 71 initiatives in this state.

72 (f) The council, no later than June 30, 2017, and annually thereafter, shall submit to the
 73 Governor and the General Assembly a report of its findings and recommendations.

74 31-7-193.

75 (a) There is established a state-wide Palliative Care Consumer and Professional
 76 Information and Education Program within the department.

77 (b) The purpose of the Palliative Care Consumer and Professional Information and
 78 Education Program shall be to maximize the effectiveness of palliative care initiatives in
 79 this state by ensuring that comprehensive and accurate information and education about
 80 palliative care is available to the public, health care providers, and health care facilities.

81 (c) The department shall publish on its website information and resources, including links
 82 to external resources, about palliative care for the public, health care providers, and health
 83 care facilities. This shall include, but not be limited to, continuing educational
 84 opportunities for health care providers; information about palliative care delivery in the
 85 home, primary, secondary, and tertiary environments; best practices for palliative care
 86 delivery; and consumer educational materials and referral information for palliative care,
 87 including hospice.

88 (d) The department shall consult with the Georgia Palliative Care and Quality of Life
 89 Advisory Council in implementing this Code section. Reserved."

90 **SECTION 2.**

91 All laws and parts of laws in conflict with this Act are repealed.