

1 HB235  
2 162833-1  
3 By Representative Weaver  
4 RFD: Health  
5 First Read: 11-MAR-15

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8 SYNOPSIS: This bill would establish within the State  
9 Health Department a State Advisory Council on  
10 Palliative Care and Quality of Life. The council  
11 would be appointed by the State Health Officer to  
12 be composed of interdisciplinary health care  
13 professionals and other persons having experience  
14 with palliative care. The council would consult  
15 with the department on the delivery of palliative  
16 care in this state. In addition, the bill would  
17 provide for the department to establish a  
18 palliative care education program.

19  
20 A BILL  
21 TO BE ENTITLED  
22 AN ACT

23  
24 Relating to the State Health Department and  
25 palliative care; to establish a State Advisory Council on  
26 Palliative Care and Quality of Life; to provide for the  
27 appointment of the members and the duties of the council; and

1 to provide for the establishment of a statewide palliative  
2 care education program within the department.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

15 (b) The council membership shall be appointed by the  
16 State Health Officer and shall include interdisciplinary  
17 palliative care medical, nursing, social work, pharmacy, and  
18 spiritual professional expertise; patient and family caregiver  
19 advocate representation and any other relevant appointees the  
20 State Health Officer determines appropriate. The State Health  
21 Officer shall consider the racial, gender, geographic,  
22 urban/rural, and economic diversity of the state when  
23 appointing members. Membership shall specifically include  
24 health professionals having palliative care work experience or  
25 expertise in palliative care delivery models in a variety of  
26 inpatient, outpatient, and community settings such as acute  
27 care, long-term care, and hospice and with a variety of

1 populations, including pediatric, youth, and adults. At least  
2 one council member shall be a board-certified hospice and  
3 palliative medicine physician and one member a licensed  
4 Certified Registered Nurse Practitioner. At least one council  
5 member shall be designated by the Alabama Hospital  
6 Association, at least one council member shall be designated  
7 by the Alabama Nursing Home Association, and at least one  
8 council member shall be designated by the Alabama Hospice and  
9 Palliative Care Organization. Council members shall be  
10 appointed for a term of three years, but may be replaced at  
11 the discretion of the State Health Officer. The members shall  
12 elect a chair and vice chair whose duties shall be established  
13 by the council. The council shall fix a time and place for  
14 regular meetings and shall meet not less than twice yearly.

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

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

22 Section 3. There is created a statewide Palliative  
23 Care Information and Education Program in the State Health  
24 Department. The purpose of the palliative care information and  
25 education program is to maximize the effectiveness of  
26 palliative care initiatives in the state by ensuring that  
27 comprehensive and accurate information and education about

1 palliative care is available to the public, health care  
2 providers, and health care facilities. The department shall  
3 publish on its website information and resources, including  
4 links to external resources, about palliative care for the  
5 public, health care providers, and health care facilities.  
6 This information shall include, but not be limited to,  
7 continuing educational opportunities for health care  
8 providers; information about palliative care delivery in the  
9 home and in other primary, secondary, and tertiary  
10 environments; and consumer educational materials and referral  
11 information for palliative care, including hospice. The  
12 department may develop and implement any other initiatives  
13 regarding palliative care services and education that the  
14 department determines would further the purposes of this  
15 section.

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

19 (c) The information gathered by the State Advisory  
20 Council on Palliative Care and Quality of Life, and any  
21 information published by the State Department of Public Health  
22 pursuant to this act, shall not be construed to establish a  
23 standard of care for physicians and hospitals, as hospitals  
24 are defined in Section 22-21-20, Code of Alabama 1975, or  
25 otherwise modify, amend, or supersede any provision of the  
26 Alabama Medical Liability Act of 1987 or the Alabama Medical  
27 Liability Act of 1996, commencing with Section 6-5-540, Code

1 of Alabama 1975, et seq., or any amendment thereto, or any  
2 judicial interpretation thereof. A physician or hospital shall  
3 not have legal liability or responsibility for claims  
4 resulting or derived from any of the information produced or  
5 disseminated pursuant to this act.

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