

1 SB95
2 162833-3
3 By Senator Waggoner
4 RFD: Health and Human Services
5 First Read: 03-MAR-15

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

25 Section 2. (a) Not later than 180 days after the
26 effective date of this act, the State Health Department shall

1 establish a State Advisory Council on Palliative Care and
2 Quality of Life within the department.

3 (b) The council membership shall be appointed by the
4 State Health Officer and shall include interdisciplinary
5 palliative care medical, nursing, social work, pharmacy, and
6 spiritual professional expertise; patient and family caregiver
7 advocate representation and any other relevant appointees the
8 State Health Officer determines appropriate. The State Health
9 Officer shall consider the racial, gender, geographic,
10 urban/rural, and economic diversity of the state when
11 appointing members. Membership shall specifically include
12 health professionals having palliative care work experience or
13 expertise in palliative care delivery models in a variety of
14 inpatient, outpatient, and community settings such as acute
15 care, long-term care, and hospice and with a variety of
16 populations, including pediatric, youth, and adults. At least
17 one council member shall be a board-certified hospice and
18 palliative medicine physician and one member a licensed
19 Certified Registered Nurse Practitioner. At least one council
20 member shall be designated by the Alabama Hospital
21 Association, at least one council member shall be designated
22 by the Alabama Nursing Home Association, at least one council
23 member shall be designated by the Home Care Association of
24 Alabama, at least one council member shall be designated by
25 the Alabama Durable Medical Equipment Association, at least
26 one council member shall be designated by the Alabama Pharmacy
27 Association, and at least one council member shall be

1 designated by the Alabama Hospice and Palliative Care
2 Organization. Council members shall be appointed for a term of
3 three years, but may be replaced at the discretion of the
4 State Health Officer. The members shall elect a chair and vice
5 chair whose duties shall be established by the council. The
6 council shall fix a time and place for regular meetings and
7 shall meet not less than twice yearly.

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

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

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

1 providers; information about palliative care delivery in the
2 home and in other primary, secondary, and tertiary
3 environments; and consumer educational materials and referral
4 information for palliative care, including hospice. The
5 department may develop and implement any other initiatives
6 regarding palliative care services and education that the
7 department determines would further the purposes of this
8 section.

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

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

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

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Senate

Read for the first time and referred to the Senate
committee on Health and Human Services..... 03-MAR-15

Read for the second time and placed on the calen-
dar 2 amendments..... 18-MAR-15

Read for the third time and passed as amended 02-APR-15

Yeas 28
Nays 0

Patrick Harris
Secretary