

By Senator Sobel

33-01459-14

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1                   A bill to be entitled  
2       An act relating to palliative care; defining terms;  
3       creating the Palliative Care and Quality of Life  
4       Interdisciplinary Advisory Council; specifying the  
5       purpose of the council; providing for membership of  
6       the council; requiring the Department of Health to  
7       provide staff, information, and other assistance as  
8       necessary to the council; requiring the department to  
9       set regular meeting times for the council; requiring  
10      the council to adopt certain internal organization  
11      procedures; authorizing reimbursement for certain  
12      expenses for council members; requiring the department  
13      to establish a palliative care consumer and  
14      professional information and education program;  
15      requiring the department to publish certain  
16      educational information and materials about palliative  
17      care on the department website; authorizing the  
18      department to develop and implement other services and  
19      education initiatives regarding palliative care;  
20      requiring the department to consult with the council  
21      to implement this act; requiring certain health care  
22      practitioners to provide certain patients information  
23      about palliative care and information about facilities  
24      that offer palliative care; requiring certain health  
25      care facilities to comply with palliative care  
26      measures ordered by a patient's health care  
27      practitioner; providing an effective date.

28  
29   Be It Enacted by the Legislature of the State of Florida:

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30  
31 Section 1. Palliative Care and Quality of Life  
32 Interdisciplinary Advisory Council; palliative care consumer and  
33 professional information and education program.-

34 (1) DEFINITIONS.-As used in this section:

35 (a) "Appropriate" means consistent with applicable legal,  
36 health, and professional standards, the patient's clinical and  
37 other circumstances, and the patient's reasonably known wishes  
38 and beliefs.

39 (b) "Medical care" means services provided, requested, or  
40 supervised by a physician or advanced registered nurse  
41 practitioner.

42 (c) "Palliative care" means patient- and family-centered  
43 medical care offered throughout the continuum of an illness  
44 which optimizes quality of life by anticipating, preventing, and  
45 treating suffering caused by serious illness. Palliative care  
46 involves addressing physical, emotional, social, and spiritual  
47 needs and facilitating patient autonomy, access to information,  
48 and choice. The term includes, but is not limited to,  
49 discussions of the patient's goals for treatment; discussion of  
50 treatment options appropriate to the patient, including, if  
51 appropriate, hospice care; and comprehensive pain and symptom  
52 management.

53 (d) "Serious illness" means a medical illness or physical  
54 injury or condition that substantially impacts quality of life  
55 for more than a short period of time. The term includes, but is  
56 not limited to, cancer, renal or liver failure, heart or lung  
57 disease, and Alzheimer's disease and related dementias.

58 (2) PALLIATIVE CARE AND QUALITY OF LIFE INTERDISCIPLINARY

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59 ADVISORY COUNCIL.—There is established within the Department of  
60 Health a Palliative Care and Quality of Life Interdisciplinary  
61 Advisory Council, which is an advisory council as defined in s.  
62 20.03, Florida Statutes.

63 (a) The primary purpose of the council is to consult with  
64 and advise the department on matters relating to the  
65 establishment, maintenance, operation, and outcome evaluation of  
66 palliative care initiatives in this state.

67 (b) The council shall consist of nine members appointed by  
68 the Governor in consultation with the State Surgeon General and  
69 include professionals who have expertise in various aspects of  
70 palliative care, including, but not limited to,  
71 interdisciplinary palliative care, medical, nursing, social  
72 work, pharmacy, and spiritual expertise; patient and family  
73 caregivers or their advocates; and such other members as the  
74 State Surgeon General deems appropriate. The Governor in  
75 consultation with the State Surgeon General shall ensure that  
76 representation on the council reflects a broad perspective of  
77 palliative care and includes experience in palliative care in a  
78 variety of inpatient, outpatient, and community settings, such  
79 as acute care, long-term care, and hospice, and with a variety  
80 of populations, including pediatric, youth, and adult. One  
81 council member shall be a designee of the American Cancer  
82 Society. At least two council members shall be board-certified  
83 hospice and palliative medicine physicians or nurses. Members  
84 shall serve for a term of 3 years.

85 (c) The council shall adopt internal organizational  
86 procedures as necessary for its efficient organization which  
87 must, at a minimum, require the council to elect a chair and

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88 vice chair whose duties shall be established by the council.

89 (d) The department shall provide such staff, information,  
90 and other assistance as is reasonably necessary to assist the  
91 council in carrying out its responsibilities.

92 (e) Members of the council shall serve without  
93 compensation, but may receive reimbursement as provided in s.  
94 112.061, Florida Statutes, for travel and other necessary  
95 expenses incurred in the performance of their official duties.

96 (f) The department shall fix a time and place for regular  
97 meetings of the council, which shall meet at least twice a year.

98 (3) PALLIATIVE CARE CONSUMER AND PROFESSIONAL INFORMATION  
99 AND EDUCATION PROGRAM.—

100 (a) The department shall establish a palliative care  
101 consumer and professional information and education program. The  
102 purpose of the program is to maximize the effectiveness of  
103 palliative care initiatives in this state by making  
104 comprehensive and accurate information and education about  
105 palliative care available to the public, health care  
106 practitioners, and health care facilities.

107 (b) The department shall publish on its website information  
108 and resources, including links to external resources, about  
109 palliative care, which shall include, but not be limited to,  
110 continuing education opportunities for health care  
111 practitioners, information about palliative care delivery in the  
112 home and in primary, secondary, and tertiary care settings, best  
113 practices for palliative care delivery, and consumer educational  
114 materials and referral information for palliative care,  
115 including hospice.

116 (c) The department may develop and implement other

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117 initiatives regarding palliative care services and education to  
118 further the purposes of this section.

119 (d) The department shall consult with the Palliative Care  
120 and Quality of Life Interdisciplinary Advisory Council in  
121 implementing this subsection.

122 Section 2. Palliative care for health care practitioners  
123 and facilities.—Health care practitioners regulated under  
124 chapter 458, chapter 459, or chapter 464, Florida Statutes,  
125 shall, as appropriate, provide patients under their care who  
126 have serious illnesses with information about palliative care  
127 and, upon request, shall facilitate access to palliative care.  
128 Facilities regulated under chapter 395, chapter 400, or chapter  
129 429, Florida Statutes, shall comply with the palliative care  
130 measures ordered by the patient's health care practitioner.

131 Section 3. This act shall take effect upon becoming a law.