

By the Committee on Health Policy; and Senators Sobel, Latvala, Soto, and Flores

588-03224-14

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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 on
6 the council; providing for staggered terms; requiring
7 the Department of Health to provide staff,
8 information, and other assistance as necessary to the
9 council; requiring the department to set regular
10 meeting times for the council; requiring the council
11 to adopt certain internal organizational procedures;
12 authorizing reimbursement for certain expenses for
13 council members; requiring the department to establish
14 a palliative care consumer and professional
15 information and education program; requiring the
16 department to publish certain educational information
17 and materials about palliative care on the department
18 website; authorizing the department to develop and
19 implement other services and education initiatives
20 regarding palliative care; requiring the department to
21 consult with the council to implement this act;
22 providing an effective date.

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24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Palliative Care and Quality of Life
27 Interdisciplinary Advisory Council; palliative care consumer and
28 professional information and education program.-

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

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30 (a) "Appropriate" means consistent with applicable legal,
31 health, and professional standards, the patient's clinical and
32 other circumstances, and the patient's reasonably known wishes
33 and beliefs.

34 (b) "Medical care" means services provided, requested, or
35 supervised by a physician, a physician assistant, or an advanced
36 registered nurse practitioner.

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

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

53 (2) PALLIATIVE CARE AND QUALITY OF LIFE INTERDISCIPLINARY
54 ADVISORY COUNCIL.—There is established within the Department of
55 Health a Palliative Care and Quality of Life Interdisciplinary
56 Advisory Council, which is an advisory council as defined in s.
57 20.03, Florida Statutes.

58 (a) The primary purpose of the council is to consult with

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59 and advise the department on matters relating to the
60 establishment, maintenance, operation, and outcome evaluation of
61 palliative care initiatives in this state.

62 (b) The council shall consist of nine members, five
63 appointed by the Governor, two appointed by the President of the
64 Senate, and two appointed by the Speaker of the House of
65 Representatives. The council shall include professionals who
66 have expertise in various aspects of palliative care, including,
67 but not limited to, interdisciplinary palliative care, medical,
68 nursing, social work, pharmacy, and spiritual expertise; patient
69 and family caregivers or their advocates. The appointing
70 officials, in consultation with the Surgeon General, shall
71 ensure that representation on the council reflects a broad
72 perspective of palliative care in a variety of inpatient,
73 outpatient, and community settings, such as acute care, long-
74 term care, and hospice, and with a variety of populations,
75 including pediatric, youth, and adult. One council member
76 appointed by the Governor shall be a designee of the American
77 Cancer Society. At least two council members, one each appointed
78 by the President of the Senate and Speaker of the House of
79 Representatives, shall be board-certified hospice and palliative
80 medicine physicians, physician assistants, or nurses. Members
81 shall serve four-year terms, except that, initially to provide
82 for staggered terms, the Governor, the President of the Senate,
83 and the Speaker of the House of Representatives shall each
84 appoint one member to serve a two-year term, and the Governor
85 shall appoint at least one member to serve a three-year term.
86 All other initial appointments and any subsequent appointments
87 shall be for four-year terms.

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88 (c) The council shall adopt internal organizational
89 procedures as necessary for its efficient organization which
90 must, at a minimum, require the council to elect a chair and
91 vice chair whose duties shall be established by the council.

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

95 (e) Members of the council shall serve without
96 compensation, but may receive reimbursement as provided in s.
97 112.061, Florida Statutes, for travel and other necessary
98 expenses incurred in the performance of their official duties.

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

101 (3) PALLIATIVE CARE CONSUMER AND PROFESSIONAL INFORMATION
102 AND EDUCATION PROGRAM.—

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

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

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117 materials and referral information for palliative care,
118 including hospice.

119 (c) The department may develop and implement other
120 initiatives regarding palliative care services and education to
121 further the purposes of this section.

122 (d) The department shall consult with the Palliative Care
123 and Quality of Life Interdisciplinary Advisory Council in
124 implementing this subsection.

125 Section 2. This act shall take effect upon becoming a law.