

A bill to be entitled

An act relating to palliative care; creating s. 765.1104, F.S.; providing definitions; creating the Palliative Care and Quality of Life Interdisciplinary Advisory Council within the Department of Health; providing for membership, powers and duties, and expenses of the council; requiring council meetings; creating the Palliative Care Consumer and Professional Information and Education Program within the Department of Health; providing the purpose of the program; requiring the program to publish specified information; authorizing other initiatives; requiring consultation with the council; requiring specified practitioners to provide seriously ill patients, upon request, with information about palliative care; requiring specified facilities to comply with palliative care measures ordered by health care practitioners; providing an effective date.

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

Section 1. Section 765.1104, Florida Statutes, is created to read:

765.1104 Palliative Care and Quality of Life Interdisciplinary Advisory Council; Palliative Care Consumer and Professional Information and Education Program; patient

27 information; access to care.-

28 (1) DEFINITIONS.-As used in this section, the term:

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

33 (b) "Department" means the Department of Health.

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

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

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

53 (2) PALLIATIVE CARE AND QUALITY OF LIFE INTERDISCIPLINARY
54 ADVISORY COUNCIL.—

55 (a) There is established within the department the
56 Palliative Care and Quality of Life Interdisciplinary Advisory
57 Council. The council shall consist of nine members appointed by
58 the State Surgeon General and shall include professionals who
59 have expertise in various aspects of palliative care, including,
60 but not limited to, interdisciplinary palliative care
61 professionals with medical, nursing, social work, pharmacy, and
62 spiritual expertise; patient and family caregivers or their
63 advocates; and such other members as the State Surgeon General
64 deems appropriate. The State Surgeon General shall ensure that
65 representation on the council reflects a broad perspective of
66 palliative care, and includes persons with experience in
67 palliative care in a variety of inpatient, outpatient, and
68 community settings, such as acute care, long-term care, and
69 hospice care, and with a variety of populations, including
70 pediatric, youth, and adult. One council member shall be a
71 designee of the American Cancer Society. At least two council
72 members shall be board-certified hospice and palliative medicine
73 physicians or nurses. Members shall serve for terms of 3 years
74 each. However, a vacancy on the council shall be filled by
75 appointment for the remainder of the term.

76 (b) The primary purpose of the council is to consult with
77 and advise the department on matters related to the
78 establishment, maintenance, operation, and outcomes evaluation

79 of palliative care initiatives in the state.

80 (c) The council shall adopt internal organizational
 81 procedures, as necessary for its efficient organization, which
 82 shall, at a minimum, require the council to elect a chair and
 83 vice chair and establish the duties of the chair and vice chair.

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

87 (e) Members of the council shall serve without
 88 compensation but may receive reimbursement as provided in s.
 89 112.061 for per diem and travel expenses incurred in the
 90 performance of their official duties.

91 (f) The department shall fix a time and place for regular
 92 meetings of the council. The council must meet at least twice
 93 per year.

94 (3) PALLIATIVE CARE CONSUMER AND PROFESSIONAL INFORMATION
 95 AND EDUCATION PROGRAM.—

96 (a) There is established within the department the
 97 Palliative Care Consumer and Professional Information and
 98 Education Program. The purpose of the program is to maximize the
 99 effectiveness of palliative care initiatives in the state by
 100 making comprehensive and accurate information and education
 101 about palliative care available to the public, health care
 102 practitioners, and health care facilities.

103 (b) The department shall publish on its website
 104 information and resources, including links to external

105 resources, about palliative care, which shall include, but not
106 be limited to, continuing education opportunities for health
107 care practitioners; information about palliative care delivery
108 in the home and primary, secondary, and tertiary care settings;
109 best practices for palliative care delivery; and consumer
110 educational materials and referral information for palliative
111 care, including hospice care.

112 (c) The department may develop and implement any other
113 initiatives regarding palliative care services and education
114 that it determines would further the purposes of this section.

115 (d) The department shall consult with the Palliative Care
116 and Quality of Life Interdisciplinary Advisory Council in
117 implementing this subsection.

118 (4) PATIENT INFORMATION; ACCESS TO CARE.—Health care
119 practitioners regulated under chapter 458, chapter 459, or
120 chapter 464 shall, as appropriate, provide patients with serious
121 illness under their care with information about palliative care
122 and, when requested, shall facilitate access to palliative care.
123 Facilities regulated under chapter 395, chapter 400, or chapter
124 429 shall comply with the palliative care measures ordered by
125 the patient's health care practitioner.

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