

House Bill 1008

By: Representative Carter of the 159th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 9 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, the
2 "Georgia Hospice Law," so as to provide that palliative care may be provided under hospice
3 to patients with advanced and progressive diseases with a life expectancy of more than six
4 months; to revise certain definitions relating to hospice care; to provide for construction; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 9 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, the "Georgia
9 Hospice Law," is amended by striking Code Section 31-7-172, relating to definitions, and
10 inserting in lieu thereof the following:

11 "31-7-172.

12 As used in this article, the term:

13 (1) 'Advanced and progressive disease' means a medical condition which is irreversible
14 and which will continue indefinitely, where there is no reasonable hope of maintaining
15 life, but where the patient's medical prognosis is one in which there is a life expectancy
16 of more than six months.

17 (2) 'Bereavement services' means the supportive services provided to the family unit to
18 assist it in coping with the patient's death, including follow-up assessment and assistance
19 through the first year after death.

20 ~~(2)~~(3) 'Department' means the Department of Human Resources.

21 (4) 'Health care facility' means hospitals; other special care units, including but not
22 limited to podiatric facilities; skilled nursing facilities; intermediate care facilities;
23 personal care homes; ambulatory surgical or obstetrical facilities; health maintenance
24 organizations; home health agencies; and diagnostic, treatment, or rehabilitation centers.

25 ~~(3)~~(5) 'Hospice' means a public agency or private organization or unit of either providing
26 to persons terminally ill and to their families, regardless of ability to pay, a centrally

1 administered and autonomous continuum of palliative and supportive care, directed and
 2 coordinated by the hospice care team primarily in the patient's home but also on an
 3 outpatient and short-term inpatient basis and which is classified as hospice by the
 4 department. In addition, such public agency or private organization or unit of either may
 5 also provide palliative care to persons with advanced and progressive diseases and to
 6 their families, directed and coordinated by the hospice care team.

7 ~~(4)~~(6) 'Hospice care' means both regularly scheduled care and care available on a 24 hour
 8 on-call basis, consisting of medical, nursing, social, spiritual, volunteer, and bereavement
 9 services substantially all of which are provided to the patient and to the patient's family
 10 regardless of ability to pay under a written care plan established and periodically
 11 reviewed by the patient's attending physician, by the medical director of the hospice
 12 program, and by the hospice care team.

13 ~~(5)~~(7) 'Hospice care team' means an interdisciplinary working unit composed of
 14 members of the various helping professions (who may donate their professional services),
 15 including but not limited to: a physician licensed or authorized to practice in this state,
 16 a registered professional nurse, a social worker, a member of the clergy or other
 17 counselor, and volunteers who provide hospice care.

18 ~~(6)~~(8) 'Hospice patient family unit' means the terminally ill person or person with an
 19 advanced and progressive disease and his or her family, which may include spouse,
 20 children, siblings, parents, and other relatives with significant personal ties to the patient.

21 ~~(7)~~(9) 'License' means a license issued by the department.

22 ~~(8)~~(10) 'Palliative care' means those interventions by the hospice care team which are
 23 intended to achieve relief from, reduction of, or elimination of pain and of other physical,
 24 emotional, social, or spiritual symptoms of distress to achieve the best quality of life for
 25 the patients and their families.

26 ~~(9)~~(11) 'Patient' means a terminally ill individual receiving the hospice continuum of
 27 services, regardless of ability to pay, and also means an individual with an advanced and
 28 progressive disease.

29 ~~(10)~~(12) 'Terminally ill' means that the individual is experiencing an illness for which
 30 therapeutic intervention directed toward cure of the disease is no longer appropriate, and
 31 the patient's medical prognosis is one in which there is a life expectancy of six months
 32 or less."

33 SECTION 2.

34 Said article is further amended by striking Code Section 31-7-176, relating to responsibilities
 35 of provider of hospice care, and inserting in lieu thereof the following:

1 "31-7-176.

2 (a) The hospice care program shall coordinate its services with those of the patient's
3 primary or attending physicians, and may contract out for elements of services rendered to
4 the patient and family unit, but not for the basic hospice care services, provided by
5 physicians, attending nurses, and counselors. The hospice care team shall be responsible
6 for coordination of inpatient, outpatient, and home care aspects of care.

7 (b) Hospice services must meet all applicable definitions provided for in Code Section
8 31-7-172.

9 (c) A hospice program of care shall not impose the dictates of any value or belief system
10 on its patients and their family units.

11 (d)(1) Notwithstanding any inconsistent provision of this article to the contrary, a
12 hospice may, in addition to providing care to terminally ill individuals, also provide
13 palliative care for patients with advanced and progressive diseases and for their families.
14 Such care may be provided by a hospice acting alone or under contract with a health care
15 facility.

16 (2) Nothing in this subsection shall prevent the provision of palliative care for patients
17 with advanced and progressive diseases and for their families by any other health care
18 provider otherwise authorized to provide such care."

19 **SECTION 3.**

20 All laws and parts of laws in conflict with this Act are repealed.