

House Bill 509

By: Representatives Petrea of the 166th, Stephens of the 164th, Tankersley of the 160th, Hitchens of the 161st, and Williams of the 119th

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to health
2 care facilities, so as to implement initiatives to improve quality and delivery of patient
3 centered and family focused palliative care in this state; to provide for legislative intent; to
4 provide for definitions; to create the Georgia Palliative Care and Quality of Life Advisory
5 Council; to establish a state-wide Palliative Care Consumer and Professional Information and
6 Education Program; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to health care
11 facilities, is amended by revising Article 10, which is reserved, to read as follows:

12 **"ARTICLE 10**

13 31-7-190.

14 The intent of the General Assembly in enacting this article is to improve quality and
15 delivery of patient centered and family focused palliative care in this state.

16 31-7-191.

17 As used in this article, the term:

18 (1) 'Advanced and progressive disease' means a serious, life-threatening medical
19 condition which is irreversible and which will continue indefinitely, where there is no
20 reasonable hope of recovery, but where the patient's medical prognosis is one in which
21 there is a life expectancy of up to two years. This term does not include terminally ill
22 patients.

23 (2) 'Commissioner' means the commissioner of community health.

24 (3) 'Department' means the Department of Community Health.

25 (4) 'Georgia Palliative Care and Quality of Life Advisory Council' or 'council' means the
26 advisory council created pursuant to Code Section 31-7-192.

27 (5) 'Health care facility' means hospitals; other special care units, including but not
28 limited to podiatric facilities; skilled nursing facilities; intermediate care facilities;
29 assisted living communities; personal care homes; ambulatory surgical or obstetrical
30 facilities; health maintenance organizations; home health agencies; and diagnostic,
31 treatment, or rehabilitation centers.

32 (6) 'License' means a license issued by the department.

33 (7) 'Palliative care' means those interventions which are intended to alleviate suffering
34 and to achieve relief from, reduction of, or elimination of pain and of other physical,
35 emotional, social, or spiritual symptoms of distress to achieve the best quality of life for
36 the patients and their families.

37 (8) 'Terminally ill' means that the individual is experiencing an illness for which
38 therapeutic intervention directed toward cure of the disease is no longer appropriate, and
39 the patient's medical prognosis is one in which there is a life expectancy of six months
40 or less.

41 31-7-192.

42 (a) There is hereby created the Georgia Palliative Care and Quality of Life Advisory
43 Council within the department. The council shall be composed of between 10 and 12
44 members, as determined by the commissioner. Councilmembers shall be appointed by the
45 commissioner and shall include interdisciplinary palliative care medical, nursing, social
46 work, pharmacy, and spiritual professional expertise; patient and family caregiver advocate
47 representation; and any relevant appointees from the department or other state entities or
48 councils that the commissioner deems pertinent. Membership shall specifically include
49 health professionals who have palliative care work experience or expertise in palliative care
50 delivery models in a variety of inpatient, outpatient, and community settings, such as acute
51 care, long-term care, or hospice, and with a variety of populations, including pediatric,
52 youth, and adult patients. At least two councilmembers shall be board-certified hospice
53 and palliative medicine physicians or nurses.

54 (b) Councilmembers shall serve for a period of three years. Councilmembers shall serve
55 at the pleasure of the commissioner. The members shall elect a chairperson and vice
56 chairperson whose duties shall be established by the council.

57 (c) The department shall fix a time and place for regular meetings of the council, which
58 shall meet at least twice yearly. Councilmembers shall receive no compensation for their

services but shall be allowed actual and necessary expenses in the performance of their duties.

(d) The council shall consult with and advise the department on matters related to the establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in this state.

31-7-193.

(a) There is established a state-wide Palliative Care Consumer and Professional Information and Education Program within the department.

(b) The purpose of the Palliative Care Consumer and Professional Information and Education Program shall be to maximize the effectiveness of palliative care initiatives in this state by ensuring that comprehensive and accurate information and education about palliative care is available to the public, health care providers, and health care facilities.

(c) The department shall publish on its website information and resources, including links to external resources, about palliative care for the public, health care providers, and health care facilities. This shall include, but not be limited to, continuing educational opportunities for health care providers; information about palliative care delivery in the home, primary, secondary, and tertiary environments; best practices for palliative care delivery; and consumer educational materials and referral information for palliative care, including hospice.

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

(e) The department shall consult with the Georgia Palliative Care and Quality of Life Advisory Council in implementing this Code section. Reserved."

SECTION 2.

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