

House Bill 509

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

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

59 services but shall be allowed actual and necessary expenses in the performance of their duties.  
60 (d) The council shall consult with and advise the department on matters related to the  
61 establishment, maintenance, operation, and outcomes evaluation of palliative care  
62 initiatives in this state.

63 31-7-193.

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

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

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

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

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

82 **SECTION 2.**

83 All laws and parts of laws in conflict with this Act are repealed.