

By Senator Sobel

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1 A bill to be entitled
2 An act relating to palliative care; creating s.
3 381.825, F.S.; defining terms; requiring the
4 Department of Health to establish a palliative care
5 consumer and professional information and education
6 program; specifying the purpose of the program;
7 requiring the department to publish certain
8 educational information and referral materials about
9 palliative care on the department website; authorizing
10 the department to develop and implement other services
11 and education initiatives regarding palliative care;
12 requiring the department to consult with the
13 Palliative Care and Quality of Life Interdisciplinary
14 Task Force; creating the Palliative Care and Quality
15 of Life Interdisciplinary Task Force within the
16 Department of Health; specifying the purpose of the
17 task force; providing for membership by a specified
18 time; requiring the task force to adopt certain
19 internal organizational procedures; requiring the
20 department to provide staff, information, and other
21 assistance, as necessary, to the task force;
22 authorizing the reimbursement of task force members
23 for certain expenses; requiring the department to set
24 regular meeting times for the task force; requiring
25 the task force to meet at least twice each year;
26 requiring reports to the Governor, the President of
27 the Senate, and the Speaker of the House of
28 Representatives by specified dates; providing for
29 future repeal of the task force; providing an

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30 effective date.

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

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34 Section 1. Section 381.825, Florida Statutes, is created to
35 read:

36 381.825 Palliative care consumer and professional
37 information and education program.-

38 (1) As used in this section, the term:

39 (a) "Appropriate" means consistent with applicable legal,
40 health, and professional standards; consistent with the
41 patient's clinical and other circumstances; and consistent with
42 the patient's reasonably known wishes and beliefs.

43 (b) "Medical care" means services provided, requested, or
44 supervised by a physician, a physician assistant, or an advanced
45 registered nurse practitioner.

46 (c) "Palliative care" means patient- and family-centered
47 medical care offered throughout the continuum of an illness
48 which optimizes quality of life by anticipating, preventing, and
49 treating the suffering caused by a serious illness. Palliative
50 care involves addressing physical, emotional, social, and
51 spiritual needs and facilitating patient autonomy, access to
52 information, and choice. The term includes, but is not limited
53 to, discussions of the patient's goals for treatment; discussion
54 of treatment options appropriate to the patient, including, if
55 appropriate, hospice care; and comprehensive pain and symptom
56 management.

57 (d) "Serious illness" means a medical illness or physical
58 injury or condition that substantially impacts quality of life

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59 for more than a short period of time. The term includes, but is
60 not limited to, cancer, renal or liver failure, heart or lung
61 disease, and Alzheimer's disease and related dementias.

62 (2) The department shall establish a palliative care
63 consumer and professional information and education program. The
64 purpose of the program is to maximize the effectiveness of
65 palliative care initiatives in this state by making
66 comprehensive and accurate information and education about
67 palliative care available to the public, health care
68 practitioners, and health care facilities.

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

78 (4) The department may develop and implement other
79 initiatives regarding palliative care services and education to
80 further the purposes of this section.

81 (5) The department shall consult with the Palliative Care
82 and Quality of Life Interdisciplinary Task Force in implementing
83 this section.

84 Section 2. Palliative Care and Quality of Life
85 Interdisciplinary Task Force.—There is established within the
86 Department of Health a Palliative Care and Quality of Life
87 Interdisciplinary Task Force, which is a task force as defined

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88 in s. 20.03, Florida Statutes.

89 (1) The primary purpose of the task force is to consult
90 with and advise the department on matters relating to the
91 establishment, maintenance, operation, and outcome evaluation of
92 palliative care initiatives in this state.

93 (2) The task force shall consist of 11 members, 5 of whom
94 are appointed by the Governor, 3 of whom are appointed by the
95 President of the Senate, and 3 of whom are appointed by the
96 Speaker of the House of Representatives. All appointments shall
97 be made by December 31, 2015. The task force membership shall
98 include:

99 (a) Professionals who have expertise in various aspects of
100 palliative care, including, but not limited to,
101 interdisciplinary palliative care; medical, nursing, social
102 work, pharmacy, and spiritual expertise; and patient and family
103 caregivers or their advocates. The appointing officials, in
104 consultation with the State Surgeon General, shall ensure that
105 representation on the task force reflects a broad perspective of
106 palliative care in a variety of inpatient, outpatient, and
107 community settings, such as acute care, long-term care, and
108 hospice, and with a variety of populations, including pediatric,
109 youth, and adult.

110 (b) One member who is a designee of the American Cancer
111 Society, appointed by the Governor.

112 (c) One member who is a designee of the Florida Hospice and
113 Palliative Care Association, appointed by the Governor.

114 (d) One member who is a designee of the Department of
115 Veterans' Affairs, appointed by the Governor.

116 (e) At least two members who are board-certified hospice

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117 and palliative medicine physicians, physician assistants, or
118 nurses, one appointed by the President of the Senate and one
119 appointed by the Speaker of the House of Representatives.

120 (3) The task force shall adopt internal organizational
121 procedures as necessary for its efficient organization which
122 must, at a minimum, require the task force to elect a chair and
123 vice chair whose duties shall be established by the task force.

124 (4) The department shall provide such staff, information,
125 and other assistance as are reasonably necessary to assist the
126 task force in carrying out its responsibilities.

127 (5) Members of the task force shall serve without
128 compensation, but may receive reimbursement as provided in s.
129 112.061, Florida Statutes, for travel and other necessary
130 expenses incurred in the performance of their official duties.

131 (6) The department shall establish a time and place for
132 regular meetings of the task force, which shall meet at least
133 twice a year.

134 (7) The task force shall submit a preliminary report to the
135 Governor, the President of the Senate, and the Speaker of the
136 House of Representatives by January 15, 2017, detailing its
137 recommendations for the establishment, maintenance, operation,
138 and outcome evaluation of palliative care initiatives in this
139 state and its recommendation for any statutory changes to be
140 considered by the Legislature. The task force shall also submit
141 a followup report to the Governor, the President of the Senate,
142 and the Speaker of the House of Representatives by December 31,
143 2018, detailing the implementation, by the department or by
144 legislative action, of the recommendations in the preliminary
145 report.

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(8) This section expires December 31, 2018.

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Section 3. This act shall take effect upon becoming a law.