

## **BILL ANALYSIS**

S.B. 27  
By: Nelson  
Human Services  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law requires written information to be provided to nursing home residents in regard to advance care directives and advance care planning, but it does not discuss an education program to enable staff and residents to address issues related to, and the potential importance of, these topics. A lack of education on advance directives may be one reason that only an estimated 25 percent of the population is using advanced directives.

S.B. 27 directs the Department of Aging and Disability Services to institute a pilot program to train nursing home staff to educate nursing home residents about advance care planning.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this bill.

### **ANALYSIS**

The bill requires the Department of Aging and Disability Services (DADS) to develop and implement a pilot program to educate residents of nursing homes and intermediate care facilities for the mentally retarded (residents) about advance care planning for the purpose of increasing the use of advance directives. Requires the pilot program to educate residents and the families of residents about advance care planning and associated legal issues, proper completion of directives, the health care choices available to those with terminal or irreversible conditions, and the importance of discussing advance directives with certain parties.

The bill requires the executive commissioner of the Health and Human Services Commission to adopt rules to implement this Act.

The bill requires DADS, not later than October 1, 2010, to submit a report to certain elected officials which includes an evaluation of the effectiveness of the pilot program and a recommendation to continue, expand, or eliminate the pilot program.

The bill provides that this Act expires on September 1, 2011.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.