

By: Zerwas

H.B. No. 1071

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Palliative Care and Quality of Life Interdisciplinary Advisory Council.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle E, Title 2, Health and Safety Code, is amended by adding Chapter 118 to read as follows:

CHAPTER 118. PALLIATIVE CARE AND QUALITY OF LIFE INTERDISCIPLINARY
ADVISORY COUNCIL

Sec. 118.001. DEFINITIONS. In this chapter:

(1) "Advisory council" means the Palliative Care and Quality of Life Interdisciplinary Advisory Council established under this chapter.

(2) "Commission" means the Health and Human Services Commission.

(3) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

Sec. 118.002. ESTABLISHMENT; PURPOSE. The commission shall establish the Palliative Care and Quality of Life Interdisciplinary Advisory Council to improve the quality and delivery of patient-centered and family-focused palliative care in this state.

Sec. 118.003. APPLICATION OF SUNSET ACT. The advisory council is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the advisory council is abolished and this chapter expires

1 September 1, 2019.

2 Sec. 118.004. MEMBERS. (a) The advisory council is
3 composed of the members appointed by the executive commissioner as
4 provided by this section.

5 (b) The advisory council must include:

6 (1) at least five physician members, including two who
7 are board certified in hospice and palliative care;

8 (2) at least two advanced practice registered nurse
9 members who are board certified in hospice and palliative care;

10 (3) seven health care professional members, including
11 nurses, social workers, pharmacists, and spiritual care
12 professionals, with:

13 (A) experience providing palliative care to
14 pediatric, youth, or adult populations;

15 (B) expertise in palliative care delivery in an
16 inpatient, outpatient, or community setting; or

17 (C) expertise in interdisciplinary palliative
18 care;

19 (4) at least one member with experience as an advocate
20 for patients and family caregivers; and

21 (5) ex officio representatives of the commission or
22 another state agency as the executive commissioner determines
23 appropriate.

24 (c) Advisory council members serve at the pleasure of the
25 executive commissioner.

26 Sec. 118.005. TERMS; VACANCY. (a) An advisory council
27 member serves a four-year term.

1 (b) If a vacancy occurs on the advisory council, a person
2 shall be appointed to fill the vacancy for the unexpired term.

3 Sec. 118.006. OFFICERS. Advisory council members shall:

4 (1) elect a chair and a vice chair; and

5 (2) establish the duties of the chair and the vice
6 chair.

7 Sec. 118.007. MEETINGS. The executive commissioner shall
8 fix a time and place for regular meetings, which must occur at least
9 twice each year.

10 Sec. 118.008. COMPENSATION AND REIMBURSEMENT. A member of
11 the advisory council may not receive compensation for service on
12 the advisory council but is entitled to reimbursement of the travel
13 expenses incurred by the member while conducting the business of
14 the advisory council, as provided by the General Appropriations
15 Act.

16 Sec. 118.009. DUTIES. The advisory council shall consult
17 with and advise the commission on matters related to the
18 establishment, maintenance, operation, and outcome evaluation of
19 the palliative care consumer and professional information and
20 education program established under Section 118.011.

21 Sec. 118.010. REPORT. Not later than October 1 of each
22 even-numbered year, the advisory council shall submit a biennial
23 report to the standing committees of the senate and the house of
24 representatives with primary jurisdiction over health matters on:

25 (1) the advisory council's assessment of the
26 availability of palliative care in this state for patients in the
27 early stages of serious disease; and

1 (2) the advisory council's analysis of barriers to
2 greater access to palliative care.

3 Sec. 118.011. INFORMATION AND EDUCATION PROGRAM. (a) The
4 commission, in consultation with the advisory council, shall
5 establish a statewide palliative care consumer and professional
6 information and education program to ensure that comprehensive and
7 accurate information and education about palliative care is
8 available to the public, health care providers, and health care
9 facilities.

10 (b) The commission shall make available on its Internet
11 website information and resources regarding palliative care,
12 including:

13 (1) links to external resources regarding palliative
14 care;

15 (2) continuing education opportunities for health
16 care providers;

17 (3) information about palliative care delivery in the
18 home, primary, secondary, and tertiary environments;

19 (4) models for palliative care; and

20 (5) consumer educational materials regarding
21 palliative care, including hospice care.

22 SECTION 2. Not later than December 1, 2015, the Health and
23 Human Services Commission shall establish the Palliative Care and
24 Quality of Life Interdisciplinary Advisory Council and the
25 executive commissioner of the Health and Human Services Commission
26 shall appoint the advisory council members as required by Chapter
27 118, Health and Safety Code, as added by this Act.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2015.