

By: Zerwas

H.B. No. 2057

A BILL TO BE ENTITLED

AN ACT

relating to supportive palliative care in the provision of home and community support services.

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

SECTION 1. Section 142.001, Health and Safety Code, is amended by amending Subdivision (15) and adding Subdivision (28-a) to read as follows:

(15) "Hospice services" means services, including services provided by unlicensed personnel under the delegation of a registered nurse or physical therapist, provided to a client or a client's family as part of a coordinated program consistent with the standards and rules adopted under this chapter. These services include palliative care, other than supportive palliative care, for terminally ill clients and support services for clients and their families that:

(A) are available 24 hours a day, seven days a week, during the last stages of illness, during death, and during bereavement;

(B) are provided by a medically directed interdisciplinary team; and

(C) may be provided in a home, nursing home, residential unit, or inpatient unit according to need. These services do not include inpatient care normally provided in a licensed hospital to a terminally ill person who has not elected to

be a hospice client.

(28-a) "Supportive palliative care" means patient- and family-centered care provided without regard to a patient's age or terminal prognosis that:

(A) does not require the patient to decline methods of treatment or therapies that cure or minimize the effects of the patient's illness; and

(B) optimizes the quality of life for a patient with a life-threatening or limiting illness and the patient's family by:

(i) anticipating, preventing, and treating the patient's pain related to the patient's physical, psychosocial, social, and spiritual condition;

(ii) addressing the physical, intellectual, emotional, cultural, social, and spiritual needs of the patient;

(iii) facilitating patient autonomy; and

(iv) ensuring the patient receives relevant information regarding treatment to enable the patient to provide informed consent.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.