

1 SB95
2 162833-4
3 By Senator Waggoner
4 RFD: Health and Human Services
5 First Read: 03-MAR-15

1 SB95

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4 ENROLLED, An Act,

5 Relating to the State Health Department and
6 palliative care; to establish a State Advisory Council on
7 Palliative Care and Quality of Life; to provide for the
8 appointment of the members and the duties of the council; and
9 to provide for the establishment of a statewide palliative
10 care education program within the department.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. The purpose of this act is to improve
13 consumer awareness of patient centered and family focused
14 palliative care in this state by establishing a State Advisory
15 Council on Palliative Care and Quality of Life within the
16 State Health Department and to provide for the establishment
17 within the department of a palliative care consumer and
18 professional information and education program.

19 Section 2. (a) Not later than 180 days after the
20 effective date of this act, the State Health Department shall
21 establish a State Advisory Council on Palliative Care and
22 Quality of Life within the department.

23 (b) The council membership shall be appointed by the
24 State Health Officer and shall include interdisciplinary
25 palliative care medical, nursing, social work, pharmacy, and

1 spiritual professional expertise; patient and family caregiver
2 advocate representation and any other relevant appointees the
3 State Health Officer determines appropriate. The State Health
4 Officer shall consider the racial, gender, geographic,
5 urban/rural, and economic diversity of the state when
6 appointing members. Membership shall specifically include
7 health professionals having palliative care work experience or
8 expertise in palliative care delivery models in a variety of
9 inpatient, outpatient, and community settings such as acute
10 care, long-term care, and hospice and with a variety of
11 populations, including pediatric, youth, and adults. At least
12 one council member shall be a board-certified hospice and
13 palliative medicine physician and one member a licensed
14 Certified Registered Nurse Practitioner. At least one council
15 member shall be designated by the Alabama Hospital
16 Association, at least one council member shall be designated
17 by the Alabama Nursing Home Association, at least one council
18 member shall be designated by the Home Care Association of
19 Alabama, at least one council member shall be designated by
20 the Alabama Durable Medical Equipment Association, at least
21 one council member shall be designated by the Alabama Pharmacy
22 Association, and at least one council member shall be
23 designated by the Alabama Hospice and Palliative Care
24 Organization. Council members shall be appointed for a term of
25 three years, but may be replaced at the discretion of the

1 State Health Officer. The members shall elect a chair and vice
2 chair whose duties shall be established by the council. The
3 council shall fix a time and place for regular meetings and
4 shall meet not less than twice yearly.

5 (c) Council members shall receive no compensation
6 for their services.

7 (d) The State Advisory Council on Palliative Care
8 and Quality of Life shall consult with and advise the State
9 Health Officer and the department on matters related to the
10 establishment, maintenance, and operation of palliative care
11 initiatives in this state.

12 Section 3. There is created a statewide Palliative
13 Care Information and Education Program in the State Health
14 Department. The purpose of the palliative care information and
15 education program is to maximize the effectiveness of
16 palliative care initiatives in the state by ensuring that
17 comprehensive and accurate information and education about
18 palliative care is available to the public, health care
19 providers, and health care facilities. The department shall
20 publish on its website information and resources, including
21 links to external resources, about palliative care for the
22 public, health care providers, and health care facilities.
23 This information shall include, but not be limited to,
24 continuing educational opportunities for health care
25 providers; information about palliative care delivery in the

1 home and in other primary, secondary, and tertiary
2 environments; and consumer educational materials and referral
3 information for palliative care, including hospice. The
4 department may develop and implement any other initiatives
5 regarding palliative care services and education that the
6 department determines would further the purposes of this
7 section.

8 (b) The department shall consult with the State
9 Advisory Council on Palliative Care and Quality of Life in
10 implementing this section.

11 (c) The information gathered by the State Advisory
12 Council on Palliative Care and Quality of Life, and any
13 information published by the State Department of Public Health
14 pursuant to this act, shall not be construed to establish a
15 standard of care for physicians and hospitals, as hospitals
16 are defined in Section 22-21-20, Code of Alabama 1975, or
17 otherwise modify, amend, or supersede any provision of the
18 Alabama Medical Liability Act of 1987 or the Alabama Medical
19 Liability Act of 1996, commencing with Section 6-5-540, Code
20 of Alabama 1975, et seq., or any amendment thereto, or any
21 judicial interpretation thereof. A physician or hospital shall
22 not have legal liability or responsibility for claims
23 resulting or derived from any of the information produced or
24 disseminated pursuant to this act.

1 Section 4. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB95
Senate 02-APR-15
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 14-MAY-15

By: Senator Waggoner