

*As Amended by Senate Committee*

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{As Amended by House Committee of the Whole}

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*Session of 2017*

## **HOUSE BILL No. 2031**

By Committee on Health and Human Services

1-11

1 AN ACT concerning health care; relating to palliative care; establishing  
2 the palliative care and quality of life interdisciplinary advisory council;  
3 palliative care consumer and professional information and education  
4 program.  
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) There is hereby created the palliative care and quality  
8 of life interdisciplinary advisory council within the department of health  
9 and environment. The purpose of this council is to develop  
10 recommendations and advise the department of health and environment on  
11 matters related to the establishment, maintenance, operation, outcomes  
12 evaluation of palliative care initiatives in the state, and effectiveness of the  
13 palliative care consumer and professional information and education  
14 program.

15 (b) (1) The palliative care and quality of life interdisciplinary  
16 advisory council shall consist of ~~12~~ **13** members appointed on or before  
17 October 1, ~~2017~~ **2018**. The members shall be appointed as follows: (A)  
18 Two members appointed by the governor; (B) two members appointed by  
19 the speaker of the house of representatives; (C) one member appointed by  
20 the minority leader of the house of representatives; (D) two members  
21 appointed by the president of the senate; (E) one member appointed by the  
22 minority leader of the senate; (F) one member appointed by the secretary  
23 of health and environment who shall represent the department of health  
24 and environment; (G) one member appointed by the secretary for aging  
25 and disability services who shall represent the department for aging and  
26 disability services; (H) one member of the house committee on health and  
27 human services appointed by the chair of the house committee on health  
28 and human services; ~~and~~ **(I) one member appointed by the majority**  
29 **leader of the house of representatives; and (J) one member of the senate**  
30 **committee on public health and welfare appointed by the chair of the**  
31 **senate committee on public health and welfare.**

32 (2) Members of the palliative care and quality of life interdisciplinary

1 advisory council shall be individuals with experience and expertise in  
2 interdisciplinary palliative care medical, nursing, social work, pharmacy  
3 and spiritual guidance. Membership shall specifically include health care  
4 professionals having palliative care work experience or expertise in  
5 palliative care delivery models in a variety of inpatient, outpatient and  
6 community settings and with a variety of populations including pediatric,  
7 youth and adults. At least two members of the palliative care and quality of  
8 life interdisciplinary advisory council shall be board-certified hospice and  
9 palliative medicine physicians or nurses, **and at least one member shall**  
10 **be a patient or a caregiver.**

11 (3) Members of the palliative care and quality of life interdisciplinary  
12 advisory council shall serve for a period of three years and shall serve at  
13 the pleasure of their respective appointing authorities. The members shall  
14 elect a chair and vice chair whose duties shall be established by the  
15 council. The department of health and environment shall fix a time and  
16 place for regular meetings of the council, which shall meet at least twice  
17 annually.

18 (4) Members of the palliative care and quality of life  
19 interdisciplinary advisory council shall serve without compensation, but  
20 shall be reimbursed for their actual and necessary expenses incurred in the  
21 performance of their duties.

22 (c) **"Palliative care" means an approach that improves the**  
23 **quality of life of patients and their families facing the problem**  
24 **associated with life-threatening illness, through the prevention and**  
25 **relief of suffering by means of early identification and impeccable**  
26 **assessment and treatment of pain and other problems, physical,**  
27 **psychosocial and spiritual. Palliative care:**

28 (1) **Provides relief from pain and other distressing symptoms;**

29 (2) **affirms life and regards dying as a normal process;**

30 (3) **intends neither to hasten or postpone death;**

31 (4) **integrates the psychological and spiritual aspects of patient**  
32 **care;**

33 (5) **offers a support system to help patients live as actively as**  
34 **possible until death;**

35 (6) **offers a support system to help the family cope during the**  
36 **patient's illness and in their own bereavement;**

37 (7) **uses a team approach to address the needs of patients and**  
38 **their families, including bereavement counseling, if indicated;**

39 (8) **will enhance quality of life, and may also positively influence**  
40 **the course of illness; and**

41 (9) **is applicable early in the course of illness, in conjunction with**  
42 **other therapies that are intended to prolong life, such as**  
43 **chemotherapy or radiation therapy, and includes those investigations**

1 needed to better understand and manage distressing clinical  
2 complications.

3 ~~{(d) The department of health and environment shall implement  
4 this section within the limitations of existing moneys and resources  
5 already allocated to the department.}~~

6 Sec. 2. (a) There is hereby created the state palliative care consumer  
7 and professional information and education program in the department of  
8 health and environment. The purpose of the state palliative care consumer  
9 and professional information and education program is to maximize the  
10 effectiveness of palliative care initiatives in the state by ensuring that  
11 comprehensive and accurate information and education about palliative  
12 care is available to the public, health care providers and health care  
13 facilities.

14 (b) The department of health and environment:

15 (1) Shall publish information and resources on its website, including  
16 links to external resources, about palliative care for the public, health care  
17 providers and health care facilities. The information shall include, but not  
18 be limited to, the following:

19 (A) Continuing education opportunities for health care providers;

20 (B) information about palliative care delivery in home, primary,  
21 secondary and tertiary environments; and

22 (C) consumer educational materials and referral information for  
23 palliative care, including hospice;

24 (2) may develop and implement any other initiatives regarding  
25 palliative care services and education that it determines would further the  
26 purposes of this section; and

27 (3) shall consult with the palliative care and quality of life  
28 interdisciplinary advisory council.

29 (c) "Palliative care" shall have the meaning ascribed to it in  
30 section 1, and amendments thereto.

31 ~~{(d) The department of health and environment shall implement  
32 this section within the limitations of existing moneys and resources  
33 already allocated to the department.}~~

34 Sec. 3. This act shall take effect and be in force from and after its  
35 publication in the statute book.