

CHAPTER 228
SB 259-FN-A – FINAL VERSION

1/30/14 0156s
16Apr2014... 1284h
05/22/14 1890EBA

2014 SESSION

14-2690
01/03

SENATE BILL ***259-FN-A***

AN ACT establishing a palliative care center for health care consumers and providers and continually appropriating a special fund.

SPONSORS: Sen. Reagan, Dist 17; Sen. Bradley, Dist 3; Sen. Carson, Dist 14; Sen. Cataldo, Dist 6; Sen. Fuller Clark, Dist 21; Sen. Gilmour, Dist 12; Sen. Lasky, Dist 13; Sen. Morse, Dist 22; Sen. Rausch, Dist 19; Sen. Stiles, Dist 24; Sen. Watters, Dist 4; Sen. Woodburn, Dist 1; Rep. Suzanne Smith, Graf 8; Rep. Kotowski, Merr 24

COMMITTEE: Health, Education and Human Services

ANALYSIS

This bill establishes a palliative care center for health care consumers and providers to monitor the state of palliative care in New Hampshire and to educate health care consumers and providers.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT establishing a palliative care center for health care consumers and providers and
continually appropriating a special fund.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 228:1 New Chapter; Palliative Care Center for Health Care Consumers and Providers. Amend
2 RSA by inserting after chapter 126-X the following new chapter:

CHAPTER 126-Y

PALLIATIVE CARE CENTER FOR HEALTH CARE CONSUMERS AND PROVIDERS

5 126-Y:1 Definitions. In this chapter:

6 I. “Center” means the palliative care center for health care consumers and providers,
7 established in RSA 126-Y:2.

8 II. “Commissioner” means the commissioner of the department of health and human
9 services.

10 III. “Fund” means the palliative care center for health care consumers and providers fund
11 established in RSA 126-Y:4.

12 IV. “Palliative care” means care that focuses on the quality of life for patients and may
13 include, but not be limited to, relief from pain and other distressing symptoms, a support system to
14 both the patient and the patient’s family, and a team approach to address the physical, emotional,
15 spiritual, and social concerns that arise with serious illness.

16 126-Y:2 Palliative Care Center for Health Care Consumers and Providers Established. There is
17 hereby established the palliative care center for health care consumers and providers. The center
18 shall monitor the state of palliative care in New Hampshire and promote education of health care
19 consumers and health care providers.

20 I. The center shall be governed by a board of directors consisting of 13 members as follows:

21 (a) One member of the senate, appointed by the president of the senate.

22 (b) One member of the house of representatives, appointed by the speaker of the house of
23 representatives.

24 (c) The commissioner of the department of health and human and services, or designee.

25 (d) The insurance commissioner, or designee.

26 (e) A licensed palliative care physician, appointed by the New Hampshire Medical
27 Society.

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1 (f) A licensed advanced practice registered nurse specializing in palliative care,
2 appointed by New Hampshire Nurse Practitioner Association.

3 (g) A licensed hospice and palliative care nurse, appointed by the New Hampshire
4 Nurses' Association.

5 (h) A representative of the New Hampshire Hospital Association, appointed by the
6 association.

7 (i) A representative of the New Hampshire Hospice and Palliative Care Organization,
8 appointed by the organization.

9 (j) An attorney specializing in end-of-life decision making, appointed by the
10 New Hampshire Bar Association.

11 (k) A representative of the New Hampshire Pastoral Psychotherapist Association,
12 appointed by the president of the association.

13 (l) A representative of the Home Care Association of New Hampshire, appointed by the
14 association.

15 (m) A representative of the New Hampshire Health Care Association, appointed by the
16 association.

17 II. Legislative members of the board shall receive mileage at the legislative rate when
18 attending to the duties of the board.

19 III. The members appointed under subparagraphs (e)-(m) shall be appointed to a term of 3
20 years; provided that the initial terms shall be staggered. Vacancies shall be filled for the unexpired
21 term of office in the same manner as the original appointment. Members may serve successive
22 terms.

23 IV. The center shall be an administratively attached agency, under RSA 21-G:10, to the
24 department of health and human services. In addition the board shall be subject to the provisions of
25 RSA 126-A:10-a.

26 V. The members of the center shall elect a president, vice-president, treasurer, and secretary
27 of the board. Five members of the board shall constitute a quorum. The board shall meet as often as
28 necessary to carry out its duties, but at least 4 times per year. The first meeting of the board shall
29 be called by the senate member.

30 126-Y:3 Duties. The center shall:

31 I. Monitor the state of palliative care in New Hampshire.

32 II. Educate health care consumers and health care providers about palliative care.

33 III. Accept gifts, grants, donations, bequests, or other moneys from any public or private
34 source for deposit in the fund established in RSA 126-Y:4.

35 IV. Make an annual report commencing on November 1, 2014 regarding its activities and
36 any recommendations for legislation to the president of the senate, the speaker of the house of

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1 representatives, the governor, and the house and senate committees having jurisdiction over health
2 and human services issues.

3 V. Perform such other duties the center deems necessary to carry out its duties under this
4 chapter.

5 126-Y:4 Palliative Care Center for Health Care Consumers and Providers Fund. There is
6 hereby established the palliative care center for health care consumers and providers fund to be used
7 to carry out the provisions of this chapter. The fund shall be composed of gifts, grants, donations,
8 bequests, or other moneys from any public or private source and shall be used to monitor the state of
9 palliative care in New Hampshire and to educate health care consumers and health care providers
10 about palliative care. The fund shall be nonlapsing and shall be continually appropriated to the
11 commissioner of the department of health and human services for the purposes of this chapter.

12 126-Y:5 Rulemaking. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to:

13 I. Procedures to educate health care consumers and health care providers about palliative
14 care.

15 II. Any fees required under this chapter for educational materials and distribution costs.

16 III. Procedures for accepting moneys for and administering the fund established in RSA 126-
17 Y:4.

18 IV. Further definition of “palliative care.”

19 228:2 New Subparagraph; Palliative Care Center for Health Care Consumers and Providers
20 Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (316) the following new subparagraph:

21 (317) Moneys received under RSA 126-Y, which shall be credited to the palliative
22 care center for health care consumers and providers fund, established in RSA 126-Y:4.

23 228:3 Effective Date. This act shall take effect 60 days after its passage.

24

25 Approved: July 14, 2014

26 Effective Date: September 12, 2014