

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 458, Page 1, Section A, Line 4, by
2 inserting immediately after said section and line the following:

3
4 "191.1075. As used in sections 191.1075 to 191.1085, the following terms shall mean:

5 (1) "Department", the department of health and senior services;

6 (2) "Health care professional", a physician or other health care practitioner licensed,
7 accredited, or certified by the state of Missouri to perform specified health services;

8 (3) "Hospital":

9 (a) A place devoted primarily to the maintenance and operation of facilities for the
10 diagnosis, treatment, or care of not less than twenty-four consecutive hours in any week of three or
11 more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal
12 physical conditions; or

13 (b) A place devoted primarily to provide for not less than twenty-four consecutive hours in
14 any week medical or nursing care for three or more unrelated individuals. "Hospital" does not
15 include convalescent, nursing, shelter, or boarding homes as defined in chapter 198.

16 191.1080. 1. There is hereby created within the department of health and senior services the
17 "Missouri Palliative Care and Quality of Life Interdisciplinary Council", which shall be a palliative
18 care consumer and professional information and education program to improve quality and delivery
19 of patient-centered and family-focused care in this state.

20 2. On or before December 1, 2015, the following members shall be appointed to the council:

21 (1) Two members of the senate, appointed by the president pro tempore of the senate;

22 (2) Two members of the house of representatives, appointed by the speaker of the house of
23 representatives;

24 (3) Two board-certified hospice and palliative medicine physicians licensed in this state,
25 appointed by the governor with the advice and consent of the senate;

26 (4) Two certified hospice and palliative nurses licensed in this state, appointed by the
27 governor with the advice and consent of the senate;

28 (5) A certified hospice and palliative social worker, appointed by the governor with the
29 advice and consent of the senate;

30 (6) A patient and family caregiver advocate representative, appointed by the governor with
31 the advice and consent of the senate;

32 (7) A spiritual professional with experience in palliative care and health care, appointed by
33 the governor with the advice and consent of the senate.

34 3. Council members shall serve for a term of three years. The members of the council shall
35 elect a chair and vice chair whose duties shall be established by the council. The department shall
36 determine a time and place for regular meetings of the council, which shall meet at least biannually.

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1 4. Members of the council shall serve without compensation, but shall, subject to
2 appropriations, be reimbursed for their actual and necessary expenses incurred in the performance of
3 their duties as members of the council.

4 5. The council shall consult with and advise the department on matters related to the
5 establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in this
6 state, including the palliative care consumer and professional information and education program
7 established in section 191.1085.

8 6. The council shall submit an annual report to the general assembly which includes an
9 assessment of the availability of palliative care in this state for patients at early stages of serious
10 disease and an analysis of barriers to greater access to palliative care.

11 7. The council authorized under this section shall automatically expire August 28, 2021.
12 191.1085. 1. There is hereby established the "Palliative Care Consumer and Professional
13 Information and Education Program" within the department of health and senior services.

14 2. The purpose of the program is to maximize the effectiveness of palliative care in this state
15 by ensuring that comprehensive and accurate information and education about palliative care is
16 available to the public, health care providers, and health care facilities.

17 3. The department shall publish on its website information and resources, including links to
18 external resources, about palliative care for the public, health care providers, and health care
19 facilities, including but not limited to:

20 (1) Continuing education opportunities for health care providers;

21 (2) Information about palliative care delivery in the home, primary, secondary, and tertiary
22 environments; and

23 (3) Consumer educational materials and referral information for palliative care, including
24 hospice.

25 4. Each hospital in this state is encouraged to have a palliative care presence on its intranet or
26 internet website which provides links to one or more of the following organizations: the Institute of
27 Medicine, the Center to Advance Palliative Care, the Supportive Care Coalition, the National
28 Hospice and Palliative Care Organization, the American Academy of Hospice and Palliative
29 Medicine, and the National Institute on Aging.

30 5. Each hospital in this state is encouraged to have patient education information about
31 palliative care available for distribution to patients.

32 6. The department shall consult with the palliative care and quality of life interdisciplinary
33 council established in section 191.1080 in implementing the section.

34 7. The department may promulgate rules to implement the provisions of sections 191.1075
35 to 191.1085. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
36 under the authority delegated in sections 191.1075 to 191.1085 shall become effective only if it
37 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
38 536.028. Sections 191.1075 to 191.1085 and chapter 536 are nonseverable and if any of the powers
39 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
40 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
41 authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

42 8. Notwithstanding the provisions of section 23.253 to the contrary, the program authorized
43 under this section shall automatically expire on August 28, 2021."; and

44
45 Further amend said bill by amending the title, enacting clause, and intersectional references
46 accordingly.