Sponsored by:
Senator M. TERESA RUIZ
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District 28 (Essex)

Co-Sponsored by:
Senator Pou, Assemblywoman Vainieri Huttle, Assemblymen Johnson, Calabrese, Assemblywomen McKnight and Murphy

SYNOPSIS
Requires certain medical facilities to undertake end-of-life planning and training.

CURRENT VERSION OF TEXT
As reported by the Assembly Health and Senior Services Committee on December 5, 2019, with amendments.

(Sponsorship Updated As Of: 12/17/2019)
AN ACT concerning end-of-life care and supplementing Title 26 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Assisted living facilities, dementia care facilities, homes, nursing homes, assisted living residences, comprehensive personal care homes, residential health care facilities, hospitals, and long-term care facilities licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) shall:
   (1) require all administrative personnel and professional staff to complete an annual education training on advance care planning, end-of-life care and the use of advance directives and Physician Orders for Life-Sustaining Treatment (POLST) forms for administrative and professional medical staff;
   (2) provide patients and residents and their families, as appropriate, with educational materials on POLST forms, advance directives, and hospice and palliative care; and
   (3) develop and implement policies to identify and address end-of-life care issues for patients and residents upon patients’ admission to the facility.

b. The Department of Health may suspend the license of a facility that fails to comply with the provisions of this section to submit a plan of corrective action to the department for approval, and may impose additional penalties or administrative disciplinary action as shall be prescribed by the Commissioner of Health by regulation.

c. As used in this section:
"Advance directive, department, and POLST form shall have the same meaning as prescribed for those terms in section 3 of P.L.2011, c.145 (C.26:2H-131).
"Assisted living facility" means an assisted living residence or comprehensive personal care home licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.).
"Dementia care home" means a community residential facility which: (1) provides services to residents with special needs, including, but not limited to, persons with Alzheimer's disease and related disorders or other forms of dementia; (2) is subject to the licensure authority of the Department of Health as a health care facility pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.); (3) and meets the requirements of section 19 of P.L.2015, c.125 (C.26:2H-150).

"Hospital" means an acute care hospital licensed by the Department of Health pursuant to P.L.1971, c.136 (C.26:2H-1 et al.).

"Long-term care facility" means a nursing home, assisted living residence, comprehensive personal care home, residential health care facility, or dementia care home licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.).

2. The Department of Health, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations as are necessary to effectuate the provisions of section 1 of this act.

3. This act shall take effect 180 days after the date of enactment, except that the Commissioner of Health may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.