

ASSEMBLY, No. 2472

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:
Assemblyman HERB CONAWAY, JR.
District 7 (Burlington)

SYNOPSIS

Establishes Practitioner Orders for Life-Sustaining Treatment Form Registry.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning Practitioner Orders for Life-Sustaining
2 Treatment forms and supplementing Title 39 of the Revised
3 Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. The Chief Administrator of the New Jersey Motor
9 Vehicle Commission shall develop the Practitioner Orders for Life-
10 Sustaining Treatment Registry program. Under the program, the
11 chief administrator shall establish and maintain an electronic
12 Statewide registry to be known as the "Practitioner Orders for Life-
13 Sustaining Treatment Registry," which shall be capable of accessing
14 and storing individual POLST forms. Under the program, the
15 holder of any New Jersey State validated permit or probationary or
16 basic driver's license, or his or her designee, may voluntarily
17 complete a POLST form, as provided in section 6 P.L.2011, c.145
18 (C.26:2H-134), and upload the POLST form to the Practitioner
19 Orders for Life-Sustaining Treatment Registry through the Internet
20 website of the New Jersey Motor Vehicle Commission or by postal
21 mail using identifying information to authenticate the submission of
22 the POLST form in a manner to be determined by the chief
23 administrator.

24 b. The POLST Form Registry shall be accessible to emergency
25 care providers, health care professionals, and health care
26 institutions and shall be established and maintained in manner that
27 is consistent with applicable federal and State privacy laws.

28 c. The Practitioner Orders for Life-Sustaining Treatment
29 Registry shall be updated annually and shall be equipped with audit
30 trail capabilities.

31 d. As used in this act:

32 "Emergency care providers," "health care professionals," and
33 "health care institutions" shall have the same meaning as provided
34 in section 3 of P.L.2011, c.145 (C.26:2H-131).

35 "Practitioner Orders for Life-Sustaining Treatment form" or
36 "POLST form" means a standardized printed document that is
37 uniquely identifiable and has a uniform color, which:

38 a. is recommended for use on a voluntary basis by patients who
39 have advanced chronic progressive illness or a life expectancy of
40 less than five years, or who otherwise wish to further define their
41 preferences for health care;

42 b. does not qualify as an advance directive;

43 c. is not valid unless it meets the requirements for a completed
44 POLST form as set forth in this act;

45 d. provides a means by which to indicate whether the patient
46 has made an anatomical gift pursuant to P.L.2008, c.50 (C.26:6-
47 77 et al.);

1 e. is intended to provide direction to emergency care personnel
2 regarding the use of emergency care, and to a health care
3 professional regarding the use of life-sustaining treatment, with
4 respect to the patient, by indicating the patient's preference
5 concerning the use of specified interventions and the intensity of
6 treatment for each intervention;

7 f. is intended to accompany the patient, and to be honored by
8 all personnel attending the patient, across the full range of possible
9 health care settings, including the patient's home, a health care
10 institution, or otherwise at the scene of a medical emergency; and

11 g. may be modified or revoked at any time by a patient with
12 decision-making capacity or the patient's representative in
13 accordance with the provisions of section 7 of P.L.2011, c.145
14 (C.26:2H-135).

15
16 2. This act shall take effect immediately but shall remain
17 inoperative until the first day of the thirteenth month following
18 enactment, but the chief administrator may take anticipatory
19 administrative action as may be necessary for the timely
20 implementation of this act.

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23 STATEMENT
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25 This bill establishes the Practitioner Orders for Life-Sustaining
26 Treatment (POLST) Registry. Under the bill, the chief
27 administrator of the New Jersey Motor Vehicle Commission (MVC)
28 is to develop the POLST Registry program. Under the program, the
29 chief administrator is to establish and maintain an electronic
30 Statewide registry to be known as the "Practitioner Orders for Life-
31 Sustaining Treatment Registry," which is to be capable of accessing
32 and storing individual "POLST forms," as this term is defined in the
33 bill. Under the program, the holder of any New Jersey State
34 validated permit or probationary or basic driver's license, or his or
35 her designee, may voluntarily complete a POLST form, and upload
36 the POLST form to the POLST Registry through the Internet
37 website of (MVC) or by postal mail using identifying information
38 to authenticate the submission of the POLST form in a manner to be
39 determined by the chief administrator.

40 The bill provides that the POLST Form Registry is to be
41 accessible to emergency care providers, health care professionals,
42 and health care institutions and is to be established and maintained
43 in manner that is consistent with applicable federal and State
44 privacy laws. The POLST Registry is to be updated annually and is
45 to be equipped with audit trail capabilities.