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

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

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

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

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

d. As used in this act:

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

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

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

b. does not qualify as an advance directive;

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

d. provides a means by which to indicate whether the patient has made an anatomical gift pursuant to P.L.2008, c.50 (C.26:6-77 et al.);
e. is intended to provide direction to emergency care personnel regarding the use of emergency care, and to a health care professional regarding the use of life-sustaining treatment, with respect to the patient, by indicating the patient's preference concerning the use of specified interventions and the intensity of treatment for each intervention;

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

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

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

STATEMENT

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

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