

ASSEMBLY, No. 5375

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 23, 2021

Sponsored by:

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Requires Palliative Care and Hospice Care Advisory Council to conduct study on impact of palliative and hospice care on patient's family.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/24/2021)

1 AN ACT concerning palliative and hospice care and amending
2 P.L.2019, c.227.

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

6
7 1. Section 4 of P.L.2019, c.227 (C. 26:2H-5r) is amended to
8 read as follows:

9 4. a. There is established in the Department of Health the
10 Palliative Care and Hospice Care Advisory Council.

11 b. It shall be the duty of the council, in collaboration with the
12 Cancer Institute of New Jersey, to implement the provisions of
13 P.L.2019, c.227 (C.26:2H-5o et seq.), including establishing the
14 Palliative Care and Hospice Care Consumer and Professional
15 Information and Education Program pursuant to section 2 of
16 P.L.2019, c.227 (C.26:2H-5p), developing and facilitating the
17 provision of information about palliative care and hospice care for
18 the purposes of section 3 of P.L.2019, c.227 (C.26:2H-5q), and
19 developing resources and programs to facilitate access to palliative
20 care and hospice care services for patients and residents. The
21 council shall also conduct a study of the impact of palliative care
22 and hospice care on the patient's family, which shall include an
23 evaluation of the family's ability to cope with the terminal phase of
24 the patient and to adapt after the patient's death. No later than 24
25 months after the effective date of P.L. , c. (C.) (pending
26 before the Legislature as this bill), the council shall submit a report
27 to the Governor and, pursuant to section 2 of P.L.1991, c.164
28 (C.52:14-19.1), to the Legislature, outlining the results of the study
29 and offering any legislative or policy recommendations designed to
30 improve the support of families of patients who are receiving
31 palliative care or hospice care.

32 c. (1) The council shall be comprised of eleven members, to be
33 appointed as follows: one member of the Senate appointed by the
34 Senate President; one member of the General Assembly appointed
35 by the Speaker of the General Assembly; three public members
36 appointed by the Senate President; three public members appointed
37 by the Speaker of the General Assembly; and three public members
38 appointed by the Governor.

39 (2) In selecting the public members, the Senate President, the
40 Speaker of the General Assembly, and the Governor shall seek to
41 include persons who have experience, training, or academic
42 background in issues related to the provision of palliative care or
43 hospice care, with an emphasis on addressing physical, emotional,
44 social, and spiritual needs and facilitating patient autonomy, access
45 to information, and choice. Seven of the nine public members shall

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 be comprised as follows: one physician, one advanced practice
2 nurse or physician assistant, one nurse, one social worker, one
3 chaplain, one pediatric oncologist, and one hospice administrator.
4 The public members shall be board certified or have a hospice and
5 palliative care certification, as appropriate to their discipline.
6 Selections of public members may be made in consultation with: the
7 State Board of Medical Examiners, the New Jersey Board of
8 Nursing, the Physician Assistant Advisory Committee, the Board of
9 Pharmacy, the New Jersey Hospital Association, the Health Care
10 Association of New Jersey, the Medical Society of New Jersey, the
11 New Jersey Association of Osteopathic Physicians and Surgeons,
12 the New Jersey State Nurses Association, the Home Care and
13 Hospice Association of New Jersey, Leading Age New Jersey, the
14 New Jersey State Society of Physician Assistants, and the New
15 Jersey Hospice and Palliative Care Organization.

16 d. All appointments shall be made within 30 days after the
17 effective date of P.L.2019, c.227 (C.26:2H-5o et seq.).

18 e. The public members shall serve for a term of five years; but,
19 of the members first appointed, three shall serve for a term of three
20 years, three for a term of four years, and three for a term of five
21 years. Members are eligible for reappointment upon the expiration
22 of their terms. Vacancies in the membership shall be filled in the
23 same manner as the original appointments.

24 f. The council shall organize as soon as is practicable upon the
25 appointment of a majority of its members, and shall select a
26 chairperson from among the members.

27 g. The members of the council shall serve without
28 compensation but may be reimbursed, within the limits of funds
29 made available to the council, for necessary travel expenses
30 incurred in the performance of their duties.

31 h. The council shall be entitled to call to its assistance and avail
32 itself of the services of the employees of any State, county, or
33 municipal department, board, bureau, commission, or agency as it
34 may require and as may be available for its purposes.

35 i. The Department of Health shall provide staff support to the
36 council.

37 (cf: P.L.2019, c.227, s.4)

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39 2. This act shall take effect immediately.
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42 STATEMENT

43
44 This bill expands the duties of the Palliative Care and Hospice
45 Care Advisory Council, established pursuant to section 4 of
46 P.L.2019, c.227 (C. 26:2H-5r), by requiring the council to conduct a
47 study on the impact of palliative care and hospice care on a
48 patient's family. Under the bill, the study is required to include an

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1 evaluation of the family's ability to cope with the terminal phase of
2 the patient and to adapt after the patient's death. No later than 24
3 months after the effective date of the bill, the council is required to
4 submit a report to the Governor and to the Legislature outlining the
5 results of the study and offering any legislative or policy
6 recommendations designed to improve the support of families of
7 patients who are receiving palliative care or hospice care.