

SB 178 A STAFF MEASURE SUMMARY

Carrier: Sen. Monnes Anderson

Senate Committee On Human Services

Action Date: 03/07/19

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Fagan, Gelser, Heard, Knopp, Monnes Anderson

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Jamie Hinsz, LPRO Analyst

Meeting Dates: 2/7, 2/26, 3/7

WHAT THE MEASURE DOES:

Allows designated health care representative to elect hospice treatment on behalf of incapacitated individual with terminal condition in the absence of a valid advance directive. Defines hospice treatment as focused on palliative rather than curative measures.

ISSUES DISCUSSED:

- Implications for individuals without an advance directive
- Access to hospice for incapable individuals
- Difficulties with end-of-life decision making on behalf of incapacitated person

EFFECT OF AMENDMENT:

Restores references to subparagraphs that were inadvertently removed by the measure as introduced.

BACKGROUND:

An “advance directive” is a document that contains health care instructions and/or grants of authority, such as designating a representative to make health care decisions, or power of attorney, on behalf of an incapacitated person. Life-sustaining health care decisions may be made on behalf of an incapacitated person with a terminal condition, pursuant to an advance directive and/or by authorized individuals, such as a guardian, appointed or designated health care representative, the person's spouse, the person's parent or adult child, and/or attending health care providers.

Along with other life-sustaining treatment decisions that may be made on behalf of an incapacitated person without an advance directive, Senate Bill 178 A allows an authorized health care representative to elect hospice treatment.