

1 Introduced by Committee on Human Services

2 Date:

3 Subject: Health; health care decisions; hospice care; DNR; COLST

4 Statement of purpose of bill as introduced: This bill proposes to allow a  
5 patient's family member or person with a known close relationship to a patient  
6 to consent to admission to hospice care on behalf of a patient with no available  
7 agent or guardian. It would also repeal a provision directing the Department of  
8 Health to adopt rules regarding persons other than a patient, agent, or guardian  
9 giving informed consent for a DNR/COLST order.

10 An act relating to consent for admission to hospice care

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 18 V.S.A. § 9710 is added to read:

13 § 9710. CONSENT FOR HOSPICE CARE

14 (a) A family member of a patient or a person with a known close  
15 relationship to the patient may provide informed consent for the patient's  
16 admission to hospice care if the patient does not have an agent or guardian or  
17 the patient's agent or guardian, or both, if applicable, is unavailable. Decisions  
18 made by the family member or person with a known close relationship shall  
19 protect the patient's own wishes in the same manner as decisions made by an  
20 agent as described in subsection 9711(d) of this title.

1           (b) As used in this section, “hospice care” means a program of care and  
2           support provided by a Medicare-certified hospice provider to help an  
3           individual with a terminal condition to live comfortably by providing palliative  
4           care, including effective pain and symptom management. Hospice care may  
5           include services provided by an interdisciplinary team that are intended to  
6           address the physical, emotional, psychosocial, and spiritual needs of the  
7           individual and his or her family.

8           Sec. 2. REPEAL

9           18 V.S.A. § 9708(f) (rulemaking for DNR/COLST) is repealed.

10          Sec. 3. EFFECTIVE DATE

11          This act shall take effect on passage.