

JAN 24 2018

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# A BILL FOR AN ACT

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RELATING TO PALLIATIVE CARE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1       SECTION 1. Chapter 346, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4       "§346-     Coverage of palliative care services. (a) The  
5 State's medicaid managed care and fee-for-service programs shall  
6 cover palliative care services.

7       (b) The department shall:

8       (1) Adopt rules and provide technical assistance for the  
9       State's medicaid managed care and fee-for-service  
10       programs to ensure delivery of palliative care  
11       services; and

12       (2) Establish guidance on the medical conditions and  
13       prognoses that render an individual eligible for the  
14       palliative care services under this section.

15       (c) Covered services under this section shall include but  
16 are not limited to hospice benefits available through the  
17 State's medicaid managed care and fee-for-service programs.



1        (d) Authorized providers of medical care shall include  
2        licensed hospice agencies and home health agencies licensed to  
3        provide hospice care that are contracted by the State's medicaid  
4        managed care and fee-for-service programs to provide palliative  
5        care services.

6        (e) Nothing in this section shall eliminate or reduce any  
7        covered benefits or services under the State's medicaid managed  
8        care and fee-for-service programs.

9        (f) This section shall not affect an individual's  
10       eligibility to receive, concurrently with the palliative care  
11       services required by this section, any services, including home  
12       health services, for which the individual would have been  
13       eligible in the absence of this section.

14       (g) For purposes of this section:  
15       "Covered services" means the following, regardless of  
16       whether these services are covered under the State's medicaid  
17       managed care and fee-for-service hospice benefits:

18       (1) Hospice services that are provided at the same time  
19       that curative treatment is available, to the extent  
20       that the services are not duplicative;



(2) Hospice services provided to individuals whose conditions may result in death, regardless of the estimated length of the individual's remaining period of life; and

(3) Any other services the department determines to be appropriate.

"Palliative care services" includes but is not limited to the following services:

(1) Specialized medical care and emotional and spiritual support for people with serious advanced illnesses;

(2) Relief of symptoms, pain, and stress of serious illness;

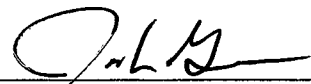

(3) Improvement of quality of life for a palliative care patient and the patient's family; and

(4) Appropriate care for any age and for any stage of serious illness, along with curative treatment."

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:



# S.B. NO. 3075

**Report Title:**

Palliative Care; Medicaid Managed Care; Medicaid Fee-For-Service; Covered Services

**Description:**

Requires the State's medicaid managed care and fee-for-service programs to cover palliative care services.

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