

# HOUSE BILL 461

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By: **Delegates Martinez, Acevero, Alston, Bagnall, Fair, Lehman, R. Lewis, Woods, and Young**

Introduced and read first time: January 22, 2024

Assigned to: Health and Government Operations

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Committee Report: Favorable

House action: Adopted

Read second time: February 20, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Health – State Advisory Council on Quality Care at the End of Life – Renaming**

3 FOR the purpose of renaming the State Advisory Council on Quality Care at the End of  
4 Life to be the State Advisory Council on Serious Illness Care; and generally relating  
5 to the State Advisory Council on Quality Care at the End of Life.

6 BY repealing and reenacting, with amendments,

7 Article – Health – General

8 Section 5–608.1(b)(1)(ii)3.; 13–1601 to be under the amended subtitle “Subtitle 16.

9 State Advisory Council on Serious Illness Care”; and 15–109.1(c)

10 Annotated Code of Maryland

11 (2023 Replacement Volume)

12 BY repealing and reenacting, without amendments,

13 Article – Health – General

14 Section 13–1602 through 13–1604

15 Annotated Code of Maryland

16 (2023 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Health – General**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 5-608.1.

2 (b) (1) (ii) The “Medical Orders for Life-Sustaining Treatment” form and  
3 the instructions for its completion and use shall be developed in consultation with:

4 3. The State Advisory Council on [Quality Care at the End of  
5 Life] **SERIOUS ILLNESS CARE**; and

6 Subtitle 16. State Advisory Council on [Quality Care at the End of Life] **SERIOUS**  
7 **ILLNESS CARE.**

8 13-1601.

9 There is a State Advisory Council on [Quality Care at the End of Life] **SERIOUS**  
10 **ILLNESS CARE.**

11 13-1602.

12 (a) The Advisory Council consists of the following 23 members:

13 (1) The Attorney General or the Attorney General’s designee;

14 (2) One member of the Senate of Maryland, appointed by the President of  
15 the Senate of Maryland;

16 (3) One member of the House of Delegates, appointed by the Speaker of the  
17 House;

18 (4) The Secretary of Aging or the Secretary’s designee;

19 (5) The Secretary of Health or the Secretary’s designee;

20 (6) The Secretary of Disabilities or the Secretary’s designee; and

21 (7) 17 members appointed by the Governor:

22 (i) One physician with experience in end-of-life care;

23 (ii) One nurse with experience in end-of-life care;

24 (iii) One pharmacist with experience in end-of-life care;

25 (iv) One physician with experience managing long-term care;

26 (v) One nurse with experience managing long-term care;

- 1 (vi) One representative of the health insurance industry;
- 2 (vii) One representative from a managed care organization;
- 3 (viii) One representative of the legal community;
- 4 (ix) One representative from the hospice care community;
- 5 (x) Two representatives from advocacy groups for end-of-life care;
- 6 (xi) Two representatives from religious groups;
- 7 (xii) Two representatives of the general public with experience with  
8 end-of-life or long-term care issues;
- 9 (xiii) One representative of the hospital industry; and
- 10 (xiv) One representative of the nursing home industry.

11 (b) (1) The term of a member appointed by the Governor is 4 years.

12 (2) At the end of a term, a member continues to serve until a successor is  
13 appointed and qualifies.

14 (3) A member who is appointed after a term has begun serves only for the  
15 rest of the term and until a successor is appointed and qualifies.

16 (4) A member who serves two consecutive 4-year terms may not be  
17 reappointed for 4 years after the completion of those terms.

18 (5) If a vacancy occurs among the members appointed by the Governor, the  
19 Governor shall promptly appoint a successor.

20 13-1603.

21 (a) The Governor shall appoint the chair of the Advisory Council.

22 (b) The members present at a meeting are a quorum to do business.

23 (c) The Advisory Council shall meet at least twice a year, at the times and places  
24 that it determines.

25 (d) A member of the Advisory Council may not receive compensation but is  
26 entitled to reimbursement for expenses under the Standard State Travel Regulations, as  
27 provided in the State budget.

28 (e) The Department of Aging and the Office of the Attorney General shall jointly

1 provide staff support and technical assistance for the Advisory Council.

2 13–1604.

3 The Advisory Council shall:

4 (1) Monitor trends in the provision of care to Marylanders with  
5 life-limiting illnesses;

6 (2) Study the impact of State statutes, regulations, policies, and other  
7 aspects of public policy on the provision of care at the end of life;

8 (3) Provide recommendations to the Office of the Attorney General, the  
9 Department, the Department of Aging, and other agencies of State government with  
10 respect to their activities affecting the provision of care at the end of life;

11 (4) Advise the General Assembly on legislative proposals affecting the  
12 provision of care at the end of life;

13 (5) Participate in or otherwise promote public and professional educational  
14 efforts concerning care at the end of life; and

15 (6) Carry out other duties as may be requested by the Governor or the  
16 General Assembly.

17 15–109.1.

18 (c) During the development of the plan under subsection (a) of this section and  
19 the information sheet under § 5–615 of this article, the Office of the Attorney General shall  
20 consult with any interested party including the State Advisory Council on [Quality Care at  
21 the End of Life] **SERIOUS ILLNESS CARE**.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2024.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.