

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL NO. 231  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute:

“Task Force to Study Increasing the Completion and Use of Advance Directives”.

AMENDMENT NO. 2

On page 1, after line 3, insert:

“FOR the purpose of establishing the Task Force to Study Increasing the Completion and Use of Advance Directives; providing for the membership of the Task Force; providing for the staffing of the Task Force; requiring the Governor to designate the chairman of the Task Force; providing that a member of the Task Force may receive certain reimbursement as provided in the State budget; requiring the Task Force to study certain issues and make certain recommendations; requiring the Task Force to make certain reports by certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study Increasing the Completion and Use of Advance Directives.”.

On pages 1 and 2, strike in their entirety the lines beginning with line 4 on page 1 through line 22 on page 2, inclusive, and substitute:

“WHEREAS, Advance Directives have been an established part of Maryland law for over 10 years; and

WHEREAS, The use of Advance Directives leads to more humane, compassionate, patient-directed, and cost-effective care; and

WHEREAS, Many Marylanders do not complete Advance Directive forms despite various

(Over)

efforts to make them available; now, therefore,

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

(a) There is a Task Force to Study Increasing the Completion and Use of Advance Directives.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Health and Mental Hygiene, or the Secretary's designee;

(4) the Secretary of Aging, or the Secretary's designee;

(5) the Secretary of Human Resources, or the Secretary's designee;

(6) the Attorney General, or the Attorney General's designee; and

(7) the following nine members, appointed by the Governor:

(i) one representative from the Maryland Medicaid Advisory Committee;

(ii) one representative from the Maryland Hospital Association;

(iii) one representative from the Mental Health Association of Maryland;

(iv) one representative from the Maryland Nurses Association;

(v) one representative from the Maryland Interfaith Legislative Committee;

(vi) one representative of the commercial health insurance industry;

(vii) one representative of a managed care organization;

- (viii) one representative of the nursing home industry; and
    - (ix) one representative of the hospice industry.
  - (c) The Governor shall designate the chairman of the Task Force.
  - (d) The Office of the Attorney General shall provide staff for the Task Force.
  - (e) A member of the Task Force:
    - (1) may not receive compensation; but
    - (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.
  - (f) The Task Force shall study and make recommendations on:
    - (1) methods to increase the completion rate of Advance Directives;
    - (2) barriers to obtaining and completing Advance Directives;
    - (3) problems in gaining recognition and acknowledgment of Advance Directives;
    - (4) problems related to the completion and use of Advance Directives:
      - (i) by mentally ill individuals;
      - (ii) by developmentally disabled individuals;
      - (iii) by individuals experiencing dementia; and
      - (iv) in guardianship cases;

(5) the role of a surrogate decision maker in the completion of an Advance Directive; and

(6) compliance with federal and State law related to Advance Directives.

(g) The Task Force shall report on its findings and recommendations in an interim report no later than December 31, 2003 and, in accordance with § 2-1246 of the State Government Article, a final report to the Governor and the General Assembly no later than December 31, 2004.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2003. It shall remain effective for a period of 1 year and 7 months and, at the end of December 31, 2004, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”