

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 712

H.P. 451

House of Representatives, February 25, 2025

An Act to Clarify the Relationship Between Palliative Care Physicians and Hospital Physicians

Received by the Clerk of the House on February 20, 2025. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SCHMERSAL-BURGESS of Mexico.
Cosponsored by Senator BRADSTREET of Kennebec and
Representatives: BAGSHAW of Windham, FREDERICKS of Sanford, GRIFFIN of Levant,
HALL of Wilton, LAVIGNE of Berwick, LYMAN of Livermore Falls, OLSEN of Raymond,
SOBOLESKI of Phillips.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1726, sub-§5, ¶C**, as enacted by PL 2015, c. 203, §2, is
3 amended to read:

4 C. Make recommendations to improve palliative care and the quality of life of persons
5 with serious illnesses, including recommendations to require hospitals treating patients
6 under the care of a palliative care physician to defer to the palliative care physician and
7 the patient when making treatment decisions; and

8 **Sec. 2. Palliative Care and Quality of Life Interdisciplinary Advisory**
9 **Council recommendations related to patients under care of palliative care**
10 **physician.** The Palliative Care and Quality of Life Interdisciplinary Advisory Council, as
11 established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 47-I and
12 referred to in this section as "the advisory council," shall make recommendations to require
13 hospitals treating patients under the care of a palliative care physician to defer to the
14 palliative care physician and the patient when making treatment decisions as required by
15 Title 22, section 1726, subsection 5, paragraph C. The advisory council shall submit its
16 recommendations as part of the annual report required to be submitted pursuant to Title 22,
17 section 1726, subsection 5, paragraph D no later than January 1, 2026 to the Joint Standing
18 Committee on Health and Human Services. The joint standing committee may report out a
19 bill related to the advisory council's recommendations to the Second Regular Session of
20 the 132nd Legislature.

21 **SUMMARY**

22 This bill requires the Palliative Care and Quality of Life Interdisciplinary Advisory
23 Council to make recommendations to require hospitals treating patients under the care of a
24 palliative care physician to defer to the palliative care physician and the patient when
25 making treatment decisions. The bill requires the advisory council to submit its
26 recommendations as part of the advisory council's required annual report no later than
27 January 1, 2026 to the joint standing committee of the Legislature having jurisdiction over
28 health and human services matters. The bill authorizes the joint standing committee to
29 report out a bill related to the advisory council's recommendations to the Second Regular
30 Session of the 132nd Legislature.