

**Minutes from March 12, 2004 Meeting of the
State Advisory Council for Quality Care at the End of Life**

Meeting time and place: March 12, 2004, 10:00 a.m., in the Conference Room of the Department of Aging, 301 West Preston Street, 10th floor.

Council members present: Ms. Karen Kauffman; Dr. Rick Fornadel; Dr. Timothy Keay; Rev. Daniel Mindling; Dr. Cynda Rushton; Ms. Catherine Stavely; Mr. Jack Schwartz (Attorney General's designee); Dr. Steven Levenson; Ms. Toni Pajardo

Council members unable to attend: Ms. Ruth Eger; Hon. Jacqueline Phillips (Secretary of Aging's designee); Rabbi Mark Loeb; Hon. Jean Roesser; Ms. Lennita Anderson-Selvey; Ms. Sharon Fine; Ms. Marguerite Gilner; Ms. Carol Benner (Secretary of Health and Mental Hygiene's designee); Hon. Paula Hollinger; Hon. Barbara Frush

Others present: Mr. Anand Das; Dr. Karen Spencer; Ms. Fran Stoner; Ms. Gail Amelia B. Katz; Ms. Sara Collins; Mr. Malcolm Augustine; Ms. Marie Thompson; Ms. Susan Lyons; Mr. Stephen Buckingham; Ms. Catherine Jackson; Ms. Barbara Neuman

Dr. Cynda Rushton welcomed the group and introductions were made around the room. Mr. Schwartz of the Attorney General's Office then summarized the status of four bills currently in the Maryland General Assembly that are relevant to the Council:

HB 556: Medical Records- Physicians Orders for Life Sustaining Treatment

This bill would direct the Attorney General's Office to develop a Physician's Order for Life Sustaining Treatment (POLST) form. Although there would necessarily be a transition period, Mr. Schwartz explained that this legislation, if passed, would ultimately phase out the need for the EMS/DNR form. The bill passed in the House by a vote of 100-38.

HB 557: Advance Directive Information Availability Act

This legislation would require the Department of Health and Mental Hygiene, in consultation with the Office of the Attorney General, to develop a form and plan to better disseminate advance directive information in health care and other settings around the state. This bill passed in the House by a vote of 106-33.

HB 207: Health Care Decisions Act- Appt of Agent- Prohibition

This bill would address a potential conflict of interest by prohibiting a spouse, child, or sibling of specified persons affiliated with a health care facility from serving as a resident's health care agent. This bill passed in the House by a vote of 139-0.

HB 1284: Medical Decisionmaking Act of 2004

Among other provisions, this bill would require individuals who seek to enter into a domestic partnership to register with the Secretary of Health and Mental Hygiene. The legislation would impact same sex couples who currently have the same status as spouses under the Health Care Decisions Act. This bill has yet to be voted on.

Mr. Schwartz concluded his presentation by distributing a copy of a Policy Study on Alzheimer's Disease Care. He encouraged Council members to read Chapter 2, which discusses patient capacity and proxy decision making and offers several recommendations for future Council action.

Dr. Steve Levenson then presented to the Council a document he produced that detailed steps providers and patients could use to approach end-of-life decision making. This framework has been used successfully by Genesis Healthcare. A subcommittee comprised of Dr. Levinson, Dr. Keay, Reverend Mindling, and Ms. Lyons will meet in the coming weeks to discuss how these guidelines can further the Council's priorities.

Ms. Sara Collins of the Sanctuary for the Dying then made a special presentation to the Council. She detailed her group's work with vulnerable populations in the last stages of her life who live in Montgomery County, Maryland.

Lastly, Dr. Rushton solicited board members for their recommendations on which stakeholders to invite to a May 24th End-of-Life Conference at the University of Maryland Law School, 500 West Baltimore Street. The conference is intended to broaden the conversation about the Council's priority areas. She encouraged Council members to participate in the day-long conference by facilitating break out groups and by designing case studies.

Although unable to attend, Mr. Larry Kimble submitted his findings about medicaid payments for long term care to the committee.

The next meeting of the full Council will be from 10:00 to 12:00 on Friday, June 18th at the Department of Aging Conference Room, 301 West Preston Street, on the 10th Floor.