

# HOUSE RESEARCH

## Bill Summary

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**Subject:** Hospice Bill of Rights

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### Overview

This bill modifies the Hospice Bill of Rights, requires hospice care providers to complete the National Hospice and Palliative Care Organization national data set survey and submit it to Hospice Minnesota as a condition of licensure, and modifies death report requirements.

#### Section

**1** **Statement of rights.** Amends § 144.A.751, subd. 1. Removes "the individual's family" from those individuals having rights listed as part of the Hospice Bill of Rights. Modifies the Hospice Bill of Rights as follows:

- (Clause 7) In current law, an individual receiving hospice care has the right to know, in advance of receiving care, whether their health program will cover the services, the charges for the services not covered by Medicare, and the charges that they may have to pay for. This is amended by adding "hospice" to clarify the type of services that "may be" covered (current law reads "are covered"), adding "Medicare" as an example of a health program, and by eliminating the requirements that individuals be told in advance of charges for services not covered by Medicare, and charges that the individual may have to pay for.
- Clause (8) is amended to state that the individual has the right (upon request) to receive a good faith estimate of the reimbursement the provider expects to receive from the individual's health plan. Individuals not enrolled in a health plan may also

## Section

request a good faith estimate. The good faith estimate is not a legally binding cost estimate. Under current law, the individual has the right to know "what the charges are for services, no matter who will be paying the bill."

- Amends Clause (10) by adding "Medicare" to the list of example health programs.
- Amends clause (17) to provide a new exception to the advance notice needed when changes are made to services/charges by allowing an exemption when "the recipient is no longer certified as terminally ill." Also clarifies the type of services being provided by changing "home care" to "hospice."
- Strikes the existing clause (18) and reinstates the provision as clause (15).

- 2 Disclosure.** Amends § 144A.751, subd. 3. Replaces the term "client fees" with "provider fees" to correct the type of fee change notice that must include contact information for the Office of the Ombudsman for Older Minnesotans.
- 3 Information and referral services.** Amends § 144A.755. Directs the commissioner of health to require hospice providers to complete the National Hospice and Palliative Care Organization national data set survey and submit the survey to Hospice Minnesota as a condition of licensure. Current law allows the commissioner to require hospice providers to provide information, but does not mandate the commissioner do so.
- 4 Reports of death.** Amends § 383B.225, subd. 5. Adds to the list of deaths where a death report to the Hennepin County medical examiner is required, deaths when the patient is under the care of a licensed hospice provider and has not been seen by a physician within 180 days.
- 5 Effective date.** States that the effective date for section 2 is January 1, 2007.