

Sunset Public Hearing Questions for  
**State Palliative Care and Quality of Life Council**  
 Created by Section 71-2-116, *Tennessee Code Annotated*  
 (Sunset Termination June 2020)

*Enabling Statute, Purpose, and Rules and Regulations*

1. Provide a brief introduction to the council, including information about its purpose, statutory duties, staff, and administrative attachment.

The State Palliative Care and Quality of Life Advisory Council was created by the Tennessee General Assembly as a result of Chapter 955 of the Public Acts of 2018. This was a recommendation of the 2017 Palliative Care Taskforce created by Chapter 420 of the Public Acts of 2017. The purpose of the council is to continually assess the status of palliative care, including barriers to care, in Tennessee. The council shall provide recommendations to the Governor and to the General Assembly on issues related to its work. The council shall fix a time and place for regular meetings and shall meet no less than twice yearly. The council shall consult with and advise the executive director on matters related to the establishment, maintenance, and operation of palliative care initiatives in this state. By January 15th of 2020, and by January 15 of each subsequent year, the advisory council shall submit a report to the general assembly that addresses barriers to palliative care access, analyzes service utilization data, and provides recommendations and best practices to address gaps in service. The Tennessee Commission on Aging and Disability provides administrative support to the council.

2. Has the council promulgated rules and regulations? If yes, please cite the reference.

No, this council has not promulgated rules and regulations.

*Council Organization*

3. Provide a list of current members of the council. For each member, please indicate who appointed the member, statutory member representation, the beginning and end of the member's term, and whether the member is serving a consecutive term.

Council members	Who appointed	Representation	Term
Justin Baker*	TCAD	Medical, patient advocate, inpatient, pediatric	2018 - 2020
Linda Estes	TCAD	Nursing, long-term care	2018 - 2020
Karen Hyden**	TCAD	Nursing, inpatient, community	2018 - 2020
Clay Jackson*	TCAD	Medical, spiritual, inpatient, outpatient, community	2018 - 2020
Mohana Karlekar*	TCAD	Medical, spiritual, patient advocate, inpatient, outpatient, community	2018 - 2020

Jill Patterson**	TCAD	Medical, nursing, social work, patient advocate, inpatient, outpatient, community	2018 - 2020
Greg Phelps*	TCAD	Medical, hospice, inpatient, outpatient, community	2018 - 2020
Sally Pitt	TDH	TDH	2018 - 2020
Maria Vilmerding Moore	TCAD	Medical, patient advocate, inpatient	2018 - 2020
Vacant	TCAD	Nursing, hospice	2018 - 2020
Jim Shulman	TCAD	TCAD	2018 - 2020
Tammy Stokes	TCAD	Nursing, spiritual, patient advocate, inpatient, outpatient, community	2018 - 2020

\*At least one (1) council member shall be a board-certified hospice and palliative medicine physician

\*\*At least one (1) council member shall be a licensed certified registered nurse practitioner with expertise in palliative care.

4. Are there any vacancies on the council? If so, please indicate how long the position has been vacant and explain steps that have been taken to fill any vacancies.

Currently, there is one position on the council that is vacant due to a member leaving their current position at Alive Hospice. This position has been vacant since August 2019. The Interim Director of Alive Hospice is in the process of appointing a member.

5. How many times did the council meet in Fiscal Years 2018 and 2019? How many members were present at each meeting? Please note meetings where the council did not have a quorum.

The council met for a total of six (6) times in FY 2018 and FY 2019 with another meeting scheduled for October 30<sup>th</sup>, 2019. Below is list of meeting dates and number of members. Each meeting had a quorum.

#### State Palliative Care and Quality of Life Meeting Dates and Attendance

- August 22, 2018 (conference call) – 3 members absent
- September 26, 2018 – 2 members absent, however 1 sent proxy
- November 7, 2018 – all members present
- January 30, 2019 – all members present
- April 24, 2019 - all members present
- July 31, 2019 – 5 members absent
- October 30, 2019 – *future meeting*

### *Financial Information*

6. What were the council's revenues and expenditure for Fiscal Years 2018 and 2019? Does the council carry a fund balance? If yes, please provide additional relevant information regarding the fund balance.

No revenues and expenditures occurred for FY 2018 and FY 2019. The council does not carry a fund balance.

7. What per diem or travel reimbursements do council members receive? How much was paid to council members in Fiscal Years 2018 and 2019?

No per diem or travel reimbursements are provided. No amount was paid to council members in FY 2018 and FY 2019.

### *Sunshine Law, Public Meetings, and Conflict of Interest Policies*

8. Is the council subject to Sunshine law requirements (Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the council have for informing the public of meetings and making minutes available to the public?

Yes, the council is subject to Sunshine law requirements. The meeting dates are posted online on both council webpage and the Commission's calendar webpage at least 30 days prior to meeting. Minutes are available upon request.

9. Does the council allow for public comment at meetings? Is prior notice required for public comment to be heard? If public comment is not allowed, how does the council obtain feedback from the public and those they regulate?

The council allows and welcomes public comment at all meetings. Prior notice is not required for public comment to be heard.

10. Does the council have policies to address potential conflict of interest by council members, employees, or other state employees who work with the council?

The council does not have these types of policies in place but has a draft for consideration at the next meeting.

11. Does the council have a website? If so, please provide the web address. What kind of public information is available on the website?

Yes. The purpose of the council, council members, quarterly meeting dates, palliative care definition, reports, and resources can be found on the council website at <https://www.tn.gov/aging/learn-about/palliative-care-advisory-council.html>.

*Reports, Major Accomplishments, and Proposed Legislative Changes*

12. What reports has the council prepared concerning its activities, operations, and accomplishments? Who receives copies of these reports? Please provide a link to any such reports issued in Fiscal Years 2018 and 2019.

In FY19, the State Palliative Care and Quality of Life Advisory Council 2019 Update Report was delivered to the Governor's office, Senate Health and Welfare Committee, and House Health Committee. The report can be found on the Commission's website at <https://www.tn.gov/aging/learn-about/palliative-care-advisory-council.html> or directly at [https://www.tn.gov/content/dam/tn/aging/documents/State Palliative Care Advisory Council 2019 Update Report.pdf](https://www.tn.gov/content/dam/tn/aging/documents/State_Palliative_Care_Advisory_Council_2019_Update_Report.pdf).

13. What were the council's major accomplishments during Fiscal Years 2018 and 2019?

**Accomplishment 1 – Define palliative care**

The first priority identified was the development of a unified definition of palliative care, in order to more clearly define the council's work. After discussing definitions developed by national groups the council adopted this definition of palliative care:

Palliative care is specialized care for people facing *serious illness*<sup>1</sup>, focusing on providing relief of suffering (physical, psychosocial, and spiritual), to maximize quality of life for both the patient and family.

*1-Within palliative care, serious illness is defined as a health condition that carries a high risk of mortality and a) negatively impacts a person's daily function, b) negatively impacts a person's quality of life, and/or c) excessively strains the person's caregiver.*

This definition was incorporated into the appendices of the "Tennessee Chronic Pain Guidelines" and incorporated into the Tennessee Cancer Coalition State Plan. This definition provided the framework for the definition of palliative care in Public Chapter 124 of 2019.

**Accomplishment 2 – Palliative Care Information and Education Program**

The next priority identified was the development and maintenance of a statewide Palliative Care Information and Education Program. First, the council created an online directory of palliative care resources aimed at providers, patients, and caregivers. The webpage has had a total of 522 hits from Jan 2019 – Sept 2019.

Next, the council partnered with Tennessee Hospital Association (THA), Tennessee Department of Health, and 15 other organizations interested in assessing the status of palliative care to plan and host a statewide conference focused on palliative care. The conference took place Sept 27, 2019 with over 115 attendees with inter-disciplinary backgrounds representing east, middle, and west Tennessee. Dr. Diane Meier, Director of Center to Advance Palliative Care, presented the key note address focusing on matching care

to the patient's needs. Several council members were included as conference speakers. Currently, TCAD is analyzing the conference surveys and will submit report to TDH by the end of October 2019.

### **Accomplishment 3 – Statewide needs assessment survey**

Another priority identified was to assess the needs of the palliative care workforce specialty palliative services including currently availability, opportunities for leveraging existing non-palliative programs to meet needs, and how to deliver education and other supports to non-specialist providers. To address this goal, council members developed a survey tool modeled after a successful project in Florida. The survey tool is developed and should be sent to providers in early 2020. In the meantime, the council has promoted the Center to Advance Palliative Care (CAPC) mapping process as a national tool to locate palliative care programs.

A few other accomplishments included, presented at the Tennessee Health Care Association annual conference, attended the Coalition to Transform Advanced Care meeting held in Memphis, and provided technical assistance to a similar council in South Carolina.

14. Please describe any items related to the council that require legislative attention and your proposed legislative changes.

The statewide palliative care report is not due until January 2020. This report may contain recommendations that will require legislative action. Until this report is drafted and approved by the council the need for legislative attention is unknown.

15. Should the council be continued? To what extent and in what ways would the absence of the council affect the public health, safety, or welfare of the citizens of Tennessee?

Yes, access to palliative care is still a barrier for many Tennesseans. These barriers continue to be addressed through this council's work.

*At the request of the Chairman of the House Government Operations Committee, all agencies that provide responses to questions as part of the Q&A process should also provide the following information.*

16. Identification of the appropriate agency representative or representatives possessing substantial knowledge and understanding of the responses provided to the sunset review questions.

Jim Shulman, Executive Director, Tennessee Commission on Aging and Disability

Dr. Mohana Karlekar, *Chair of the State Quality of Life and Palliative Care Advisory Council*, Director Vanderbilt University Palliative Care, Assistant Medical Program Director, Medical Palliative Care Fellowship, Assistant Professor of Medicine, Vanderbilt Department of Medicine & Biomedical Informatics,

17. Identification of the appropriate agency representative or representatives who will respond to the questions at the scheduled sunset hearing.

Jim Shulman, Executive Director, Tennessee Commission on Aging and Disability

Dr. Mohana Karlekar, *Chair of the State Quality of Life and Palliative Care Advisory Council*, Director Vanderbilt University Palliative Care, Assistant Medical Program Director, Medical Palliative Care Fellowship, Assistant Professor of Medicine, Vanderbilt Department of Medicine & Biomedical Informatics,

18. Office address, telephone number, and email address of the agency representative or representatives who will respond to the questions at the scheduled sunset hearing.

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