

1 S.108

2 Introduced by Committee on Health and Welfare

3 Date: February 24, 2015

4 Subject: Health; patient choice at end of life; physicians; immunity

5 Statement of purpose of bill as introduced: This bill proposes to repeal the

6 July 1, 2016 sunset and continue providing immunity for physicians who

7 follow a specific process to prescribe medication to a patient with a terminal

8 condition for the purpose of hastening the patient's death. The bill would also

9 repeal provisions scheduled to take effect on July 1, 2016 that provide

10 immunity for physicians who prescribe a dose of medication that may be lethal

11 to a patient, in the event that the patient later takes a lethal dose of the

12 medication.

13 An act relating to repealing the sunset on provisions pertaining to patient
14 choice at end of life

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. REPEALS

17 (a) 2013 Acts and Resolves No. 39, Sec. 2 (repeal of 18 V.S.A. § 5283,
18 immunity for prescription and documentation, on July 1, 2016) is repealed.

19 (b) 18 V.S.A. §§ 5289 (protection of patient choice at end of life) and 5290
20 (immunity for physicians) are repealed.

Sec. 2. 18 V.S.A. § 5293 is added to read:

§ 5293. REPORTING REQUIREMENTS

(a) The Department of Health shall adopt rules pursuant to 3 V.S.A. chapter 25 to facilitate the collection of information regarding compliance with this chapter, including identifying patients who filled prescriptions written pursuant to this chapter. Except as otherwise required by law, information regarding compliance shall be confidential and shall be exempt from public inspection and copying under the Public Records Act.

(b) Beginning in 2018, the Department of Health shall generate and make available to the public a biennial statistical report of the information collected pursuant to subsection (a) of this section, as long as releasing the information complies with the federal Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191.

Sec. 3. 18 V.S.A. § 4284(b)(2) is amended to read:

(2) The Department shall provide reports of data available to the Department through the VPMS only to the following persons:

* * *

(G) The Commissioner of Health or the Commissioner's designee in order to identify patients who filled prescriptions written pursuant to chapter 113 of this title.

1 Sec. ~~2~~ 4. EFFECTIVE DATE

2 This act shall take effect on passage.