

S 2545

Advance Directives Improvement and Education Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Health

Introduced: Jun 17, 2004

Current Status: Read twice and referred to the Committee on Finance. (text of measure as introduced: CR 6/18/2004 S7

Latest Action: Read twice and referred to the Committee on Finance. (text of measure as introduced: CR 6/18/2004 S7017-7018) (Jun 17, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2545>

Sponsor

Name: Sen. Nelson, Bill [D-FL]

Party: Democratic • State: FL • Chamber: Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Jun 17, 2004
Sen. Lugar, Richard G. [R-IN]	R · IN		Jul 8, 2004

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Jun 17, 2004

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Advance Directives Improvement and Education Act of 2004 - Amends title XVIII (Medicare) of the Social Security Act, as amended by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, to provide for Medicare coverage of end-of-life planning consultations. Requires a service provider, Medicare Advantage organization, or prepaid or eligible organization to give effect to an advance directive executed outside the State in which it is presented, even one that does not appear to meet the formalities of execution, form, or language required by the State in which it is presented, to the same extent as such provider or organization would give effect to an advanced directive that meets such requirements. Permits a provider or organization to decline to honor such a directive if the provider or organization can reasonably demonstrate that it is not an authentic expression of the individual's wishes concerning his or her health care. Makes such advance directive requirements applicable under Medicaid, title XIX of the Social Security Act.

Amends the Public Health Service Act to provide for grant programs to increase awareness of advance directive planning issues. Directs the Secretary to conduct a national public education campaign to: (1) raise public awareness of the importance of planning for care near the end of life; (2) improve the public's understanding of the various situations in which individuals may find themselves if they become unable to express their health care wishes; (3) explain the need for readily available legal documents that express an individual's wishes, through advance directives (including living wills, comfort care orders, and durable powers of attorney for health care); and (4) educate the public about the availability of hospice care and palliative care.

Directs the Secretary to provide for the establishment of a national, toll-free, information clearinghouse as well as clearinghouses that the public may access to find out about State-specific information regarding advance directive and end-of-life decisions.

Requires General Accounting Office studies and reports on end-of-life planning issues.

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### **Actions Timeline**

- **Jun 17, 2004:** Introduced in Senate
- **Jun 17, 2004:** Sponsor introductory remarks on measure. (CR 6/18/2004 S7016-7017)
- **Jun 17, 2004:** Read twice and referred to the Committee on Finance. (text of measure as introduced: CR 6/18/2004 S7017-7018)