



## **Palliative Care Information Act**

The Palliative Care Information Act (PCIA), signed into law by Governor Paterson on August 13, 2010, is a critically important patients' rights law and a model for the nation. Terminally ill patients will now have a clearly defined right to receive information and counseling about their palliative care and end-of-life options, including hospice. This will enable them to make informed treatment decisions during the final months of their lives. The law states:

If a patient is diagnosed with a terminal illness or condition, the patient's attending health care practitioner shall offer to provide the patient with information and counseling regarding palliative care and end-of-life options appropriate to the patient, including but not limited to: the range of options appropriate to the patient; the prognosis, risks and benefits of the various options; and the patient's legal rights to comprehensive pain and symptom management at the end of life.

Additionally:

- a. The obligation to provide such information and counseling can be fulfilled by the attending physician or nurse practitioner or by referral or transfer to another appropriate health care practitioner.
- b. Information can be provided verbally, or in a written document that the Department of Health is authorized to produce.
- c. Information and counseling would not have to be provided to a patient who does not want it.
- d. Information and counseling shall be provided to a person with authority to make health care decisions for the patient if the patient lacks decision making capacity.

The need for and the importance and benefits of the PCIA are clear. There is evidence that end-of-life discussions with patients often do not occur at all or occur early enough. Even when such discussions do take place, sufficient information is often not provided. Yet patients want to know their diagnosis, prognosis, treatment alternatives and the risks and benefits of those options so that they can make informed decisions. When physician-patient communications do take place, the quality of lives of patients improves, patients are referred to hospice earlier, patients live longer, their wishes are respected and costs are reduced.