



Pennsylvania Homecare Association

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DEC 11 2017  
BY: \_\_\_\_\_

December 11, 2017

Re: Helping Families with End of Life Care—SB 978, PN 1367 and SB 623, PN 1229

Dear Members of the Senate Health & Human Services Committee:

You will soon have an opportunity to help terminally ill patients and their families by voting favorably on two important bills. Senate Bill 978 would permit home health and hospice nurses to dispose of a patient’s unused medications at the time of death or discharge and Senate Bill 623 would empower patients to make decisions about the care they want to receive at the end of life. I hope that you will join the Pennsylvania Homecare Association (PHA) in supporting these two common sense measures, which are scheduled to be considered by the committee on December 12<sup>th</sup>.

When a loved one passes away, the very last thing on the minds of the family members is the proper way to dispose of the patient’s unused medications. Unfortunately, under regulations by the Drug Enforcement Agency (DEA) implemented in 2014, home health and hospice providers are not able to shoulder this burden for the families that they serve at home. By tying the hands of providers, this rule not only hurts grieving families, it also leaves open the possibility that someone may have easy access to these medications. SB 978 allows nurses to return to the practice in place prior to the 2014 federal regulation and dispose of these heavy narcotics right in the home when the patient passes away or leaves the care of the agency.

As terminally ill patients near the end of their lives, they should be able to dictate the kind of care that they receive. The Pennsylvania Orders for Life-Sustaining Treatment (POLST) form allows individuals to plan for end-of-life care such as artificial nutrition and ventilator assistance. SB 623 ensures that healthcare providers in all settings will respect the patient’s wishes contained in the POLST because it gives it the same authority as any other physician order. POLST protects the patient’s wishes and also prevents families from having to make difficult decisions about their loved one’s final days.

On behalf of the patients and families who receive home health and hospice care at home, I ask that you please join PHA in supporting SB 978 and SB 623.

Sincerely,

Vicki Hoak, CEO

Your *partner* in  
bringing *care home*

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December 11, 2017

**RE: SB 978 Hospice and Home Health Prescription Medication Disposal Act**

Dear Members of the PA Senate Health and Human Services Committee,

BAYADA Home Health Care is grateful for the leadership and prompt attention to SB 978, which would allow Home Health Hospice providers to dispose of medications, including opioids, after the hospice patient is deceased.

We believe this common-sense legislation will help curb the opioid addiction crisis swirling in Pennsylvania.

**The problem:**

The Federal Drug Enforcement Agency (DEA) adopted a final rule which allows members of a deceased hospice patient's household to dispose of the patient's medications. The rule also prohibited Hospice providers from disposing of the medication (because it is considered personal property) unless authorized by the state.

Limiting disposal to a patient's household members has led to some medications being taken by other individuals or sold unlawfully to other individuals, thereby contributing to the proliferation of the opioid epidemic in Pennsylvania.

**The legislation:**

This legislation outlines proper procedures to allow home health hospice providers to dispose of the deceased patient's remaining medications as provided for in the DEA rule.

BAYADA Home Health Care fully supports the passage of SB 978. Our hospice employees pride themselves on providing comfort and peace to families across the Commonwealth. The current climate requires hospice providers to provide drug disposal advice as the family is beginning to grieve. This legislation will help put a plan in place to allow hospice providers to support the family's grief while ensuring medications do not fall into inappropriate hands.

Thank you for considering my comments on this important matter.

Sincerely,

Laura Ness  
Director, PA Government Affairs

*Compassion. Excellence. Reliability.*