End of Life Care

Legislative Ask: SHM supports Medicare reimbursement for end-of-life care consultations and advance care planning. Please actively support the *Personalize Your Care Act,* sponsored by Congressman Earl Blumenauer, when it is reintroduced in the 114th Congress.

Issue Background:

A recent study in the NEJM found that more than one in four elderly Americans lacked the capacity to make their own medical care decisions at the end of life. Under those circumstances, care decisions fall to family members and doctors who may not know the treatment preferences of the elderly patient. However, elderly patients with advance directives, have a much better chance in receiving the care that they wish. Evidence also demonstrates that advance care planning and end-of-life discussions reduce stress, anxiety, and depression in surviving relatives.

SHM supported legislation in the 113th Congress to authorize Medicare payments for voluntary end of life care consultations every five years or at changes in health, health-related condition, or care setting of the patient. The *Personalize your Care Act of 2013* (H.R. 1173) was sponsored by Rep. Blumenauer [D-OR-3]) and will be reintroduced for the new 114th Congress.

Medicare currently does not currently reimburse providers for end-of-life care discussions and advance directive planning with patients. In the 2015 Physician Fee Schedule Rule, the Centers for Medicare & Medicaid Services (CMS) considered, but did not implement, new CPT codes for advance care planning conversations. Reportedly, CMS will be considering implementing these new CPT codes in rulemaking again this year.

Legislative Impact:

The *Personalize Your Care Act* would create regular opportunities for patients to express their care wishes in a structured and supported way and ensures those wishes will be respected. It is critical that patients are able to make fully-informed decisions about their care, particularly during advanced stages of illness. The legislation places emphasis on providing access to the information necessary for patients to engage in informed decision-making and, ultimately, on respecting the patient's care preferences.

The legislation works to ensure that patients are able to discuss and convey their end of life plan with the full expectation that their wishes will be honored and respected throughout the spectrum of the healthcare system. Advance care planning that is driven solely by the patient's informed choices is critical for a healthcare system that encourages patients to be active participants in their care.