

**CONFIDENTIAL**  
**LEGISLATIVE BILL REVIEW FORM: 2015**

Bill Number: H.132 Name of Bill: An act relating to immunity to certain health care providers

Agency/Dept: VT State Police Author of Bill Detective Sergeant Aimee Nolan  
Review: \_\_\_\_\_

Date of Bill Review: 2/17/15 Related Bills and Key Players: 18 VSA Chapter 113 (related existing statutes – Patient Choice at End of Life)

Status of Bill: (check one)

☒ Upon Introduction ☐ As passed by 1<sup>st</sup> body ☐ As passed by both bodies

Recommended Position:

☒ Support ☐ Oppose ☐ Remain Neutral ☐ Support with modifications identified in # 8 below

---

**Analysis of Bill**

---

**1. Summary of bill and issue it addresses.**

This bill amends the wording of 18 VSA 5285 – Limitations on Actions, by adding subchapters (d) and (e) with regards to civil and criminal immunity; as well as immunity from professional disciplinary actions for certain health care providers and pharmacists who participate in the provision to a qualified patient of medication to hasten his or her death.

**2. Is there a need for this bill?**

The addition of the immunity for certain health care providers and pharmacists is necessary, because in order for the “patient choice at end of life” laws to be effective, providers and pharmacists need to feel as though they are protected; and will therefore be more likely to participate if they are protected civil and criminal proceedings as well as any professional disciplinary actions.

**3. What are likely to be the fiscal and programmatic implications of this bill for this Department?**

There are no foreseen implications to this department.

**4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**

It is thought that other police departments, as well as other state investigators would likely support this bill. The addition of the limitations on actions wording will likely lessen the load of statewide investigators tasked with looking into misconduct and or licensing complaints based on end of life involvement of providers and pharmacists.

**5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?**

It is not thought that this bill would negatively impact others, because the choice for providers and pharmacists to participate would still lie with that individual. Also, it is not thought that there would be any fiscal or programmatic implications of this bill, as it is only adding the immunity clause to the existing statute.

**6. Other Stakeholders:**

**6.1 Who else is likely to support the proposal and why?**

Likely supporters of this proposal would include the medical board, individual providers and the Secretary of State Licensing division, because it certainly benefits providers and pharmacists; and as stated, will likely reduce the number of investigations involved in these situations.

**6.2 Who else is likely to oppose the proposal and why?**

Those likely to oppose the proposed wording change might be religious organizations who are against patient choice at end of life, as well as disability rights organizations, and some doctors.

**7. Rationale for recommendation:**

As mentioned above, this bill as proposed does not mandate anyone to participate in patient of life choices; rather it simply provides immunity for providers who choose to participate.

**8. Specific modifications that would be needed to recommend support of this bill:**

None

**9. Gubernatorial appointments to board or commission?**

Secretary/Commissioner has reviewed this document

A handwritten signature in blue ink, appearing to be "Laura Gray", written over a faint circular stamp.

Date: 3/12/15