



[NationalHealthcareDecisionsDay.org](http://NationalHealthcareDecisionsDay.org)

[National Healthcare Decisions Day](#) web page on [CompassionAndSupport.org](http://CompassionAndSupport.org)

[NHDD New York State Coalition](#)

[NHDD NYS Coalition Collaborators](#)

## NHDD NYS Coalition Family Health Care Decisions Act Subcommittee

Wednesday, January 27, 2010

2:00pm – 3:00pm

### MINUTES

#### Attendees:

Dr. Patricia Bomba, Mary Beth Morrissey, Jon Federman, Donnie Richman and Penny Weller

#### Meeting Goals:

- To discuss strategies to ensure Family Health Care Decisions Act is passed in 2010

#### 1. Welcome and Introductions

- Dr. Bomba opened the meeting and everyone briefly introduced themselves.

#### 2. Updates

- FHCDA Legislation
  - FHCDA has been passed by the Assembly in January 2010.
  - Currently, FHCDA is in Senate Codes Committee; FHCDA passed the Senate unanimously in 2009. Normally focus is on the budget in January.
- FHCDA, as currently stands (if no amendments passed), and impact on MOLST Form/Program:
  - FHCDA applies in hospitals and nursing homes, but not in the community.
  - Capacity determination changes from two physician to physician plus trained health professional. Conflicts need to be addressed by Ethics Committee before medical orders can be written. Change would be helpful for nursing homes, as physician is not always present at time of admission, let alone having two physicians present.
  - Education on capacity determination is strong component of MOLST Program training. Thus, alignment of all timelines (rollout of revised MOLST with proposed FHCDA changes, eMOLST, revised FAQs, etc.) may enhance MOLST implementation in hospitals and nursing homes statewide.
  - Impact on special populations also under review.
- Consensus has been reached that the NYSDOH approved revisions (OMHDD and OMH review underway; approval pending) will be put on hold pending likely passage of FHCDA in this session. The Workgroup will begin to outline needed revisions with passage of FHCDA and will continue until the revisions for the MOLST form are finalized

#### 3. Open Forum

- Discussion focused on continuing 2009 efforts as best next steps to ensure passage of FHCDA legislation.

#### 4. Next Steps and Accountabilities

- Group consensus on continuing regular meetings.

#### 5. Next Meeting

March 11, 2010; 10:00am to 11:00am

[Conference Call Instructions](#)

Dial-in number: 1-800-747-8181

Pass code: 2384514