

HEALTH AND HUMAN SERVICES

Resolution HHS-20-56

A RESOLUTION TO EDUCATE, EMPOWER, AND ADVOCATE AROUND END-OF-LIFE CARE

WHEREAS, the National Black Caucus of State Legislators (NBCSL) is the foremost organization serving and representing the interests of current and former Black state legislators from all states, commonwealths and territories of the United States and the Western Hemisphere and serves as a catalyst for joint action on issues of common concern to all segments of the community; and we are committed to educating our communities to make informed end-of-life decisions;

WHEREAS, the NBCSL recognizes that African American disparities extend to the end-of-life process, and recommends that individuals and families educate themselves on all aspects of end-of-life planning including advance healthcare directives, healthcare proxies, wills, trusts, powers of attorney, and end-of-life options;

WHEREAS, Duke Divinity School survey found that only 50% of African Americans have talked with family members about their end-of-life care and 20% have never discussed end-of-life wishes with anyone;

WHEREAS, it is imperative to empower our community with information to better make informed decisions when planning for the end of life and have candid conversations with friends, family, faith leaders and medical providers about end-of-life care before a time of crisis;

WHEREAS, a 2016 study in the Journal of Palliative Medicine reported that only 24% of African Americans were likely to have completed advance directives compared with 44% of their white peers;

WHEREAS, advance healthcare directives are state-specific free legal documents to choose medical treatment options in case one is unable to make decisions because of illness or infirmity and to appoint a healthcare proxy to speak on one's behalf;

WHEREAS, according to the National Hospice and Palliative Care Association, only 8% of hospice users are African American, and hospice care is a health service that provides comfort care to patients, in-home or at a facility, in their final phase of illness or within six months of death;

WHEREAS, hospice care should be accessed as early as possible as there is an emphasis on patient support and the entire spectrum of improved quality of life, and hospice staff and caregivers provide holistic care rather than a curative emphasis;

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WHEREAS, palliative care is a compassionate interdisciplinary approach (doctors, nurses, faith leaders, other medical professionals) to specialized medical and nursing care for people with chronic and terminal illnesses, the ultimate goal is improving the quality of life for the patient and their support network by focusing on providing pain relief, and physical and mental stress support at any stage of illness;

WHEREAS, according to a 2016 from the University of Iowa and University of California, African Americans are significantly less likely to be prescribed opioids for back pain and abdominal pain compared to white peers, and African American patients are more likely to have their pain underestimated and undertreated;

WHEREAS, according to the National Center for Health, just 13% of African Americans have a living will in place compared with 32% of whites, and African Americans are less likely to purchase long-term care insurance, term life insurance, whole life insurance, disability insurance, homeowners' insurance, or to complete estate planning;

WHEREAS, wills and trusts are vital components of estate planning and should be considered in end-of-life discussions;

WHEREAS, having an understanding of the entire spectrum of care options is critical in order to make informed healthcare decisions, from the refusal of treatment to aggressive treatment options; and

WHEREAS, being equipped with treatment-option information and illness-specific questions for medical professionals during appointments can empower our community to advocate for ourselves.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) must be proactive in educating, empowering and advocating for our community at the end of life, and we will work with and encourage our legislators to share resources with our constituents;

BE IT FURTHER RESOLVED, that the NBCSL encourages charting one's end of life journey. consistent with one's own wishes and values and having those very important discussions with loved ones;

BE IT FURTHER RESOLVED, that the NBCSL urges Congress to enact legislation that would encourage Medicare and Medicaid to take meaningful steps toward identifying and educating vulnerable populations that are nearing the end of their life; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials and agencies as appropriate.

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SPONSOR: Representative Laura Hall (AL)

Committee of Jurisdiction: Health and Human Services Policy Committee

Certified by Committee Co-Chair: Representative David J. Mack, III (SC)

Ratified in Plenary Session: Ratification Date is December 6, 2019

Ratification is certified by: Representative Gilda Cobb-Hunter (SC), President