

Terminal Illness (Provision of Palliative Care and Support for Carers) Bill

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TO

Require the provision of comprehensive palliative care to those with terminal illnesses, including adults over the age of 60; to require certain public bodies to co-operate with hospices in the provision of palliative care; to make provision for support for those caring for individuals with a terminal illness; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Duty to promote the provision of comprehensive palliative care

- (1) *The Secretary of State has a duty to promote the provision of comprehensive palliative care to terminally ill persons in England.*
- (2) The Secretary of State must lay before Parliament a report on steps taken in pursuance of that duty as soon as reasonably practicable after the end of each year. 5
- (3) Each such report must in particular include information on steps taken to—
 - (a) integrate services provided by local authorities, National Health Service organisations and bodies that provide community care services, 10
 - (b) support terminally ill persons aged over 60,
 - (c) identify persons in need of palliative care, and
 - (d) improve public understanding of palliative care.

2 Responsibilities of clinical commissioning groups

- Each clinical commissioning group must— 15
- (a) assess the need for palliative care in its area,
 - (b) provide services in accordance with that need,
 - (c) co-operate with local hospices and voluntary sector providers of palliative care in the provision of such services,

	(d) collect and publish data on the lengths of time between completion of the Fast Track Pathway Tool for NHS Continuing Healthcare and the provision of such services.	
3	Support for carers of persons with a terminal illness	
(1)	<i>The Secretary of State must send information on claiming carer’s allowance under section 70 of the Social Security Contributions and Benefits Act 1992 to a person who –</i>	5
	(a) <i>claims a DS1500 qualifying benefit, and</i>	
	(b) <i>is terminally ill.</i>	
(2)	In this section, the following are DS1500 qualifying benefits –	10
	(a) universal credit under Part 1 of the Welfare Reform Act 2012;	
	(b) employment and support allowance under Part 1 of the Welfare Reform Act 2007;	
	(c) personal independence payment under Part 4 of the Welfare Reform Act 2012;	15
	(d) disability living allowance under sections 71 to 76 of the Social Security Contributions and Benefits Act 1992;	
	(e) attendance allowance under section 64 to 67 of the Social Security Contributions and Benefits Act 1992.	
4	Interpretation	20
	In this Act –	
	“community care services” has the same meaning as in section 46 of the National Health Service and Community Care Act 1990;	
	“clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;	25
	“Fast Track Pathway Tool” and “NHS Continuing Healthcare” have the same meanings as in regulation 20 of the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012/2996;	
	“hospice” means an establishment other than a hospital whose primary function is the provision of palliative care to persons resident there who are suffering from a progressive disease in its final stages;	30
	“terminally ill” has the same meaning as in section 82(4) of the Welfare Reform Act 2012.	
5	Extent, commencement and short title	35
(1)	Section 3 and this section extend to England and Wales, and Scotland.	
(2)	The other sections extend to England and Wales only.	
(3)	Except for this section, this Act comes into force on a day the Secretary of State may by regulations made by statutory instrument appoint.	
(4)	Regulations under this section may make different provisions for different purposes.	40
(5)	This Act may be cited as the Terminal Illness (Provision of Palliative Care and Support for Carers) Bill 2018.	

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*Ordered to be brought in by
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