

Committee: _____

RESOLUTION

A RESOLUTION TO: Require Ethics Committee in Nursing Homes

WHEREAS, There are many biomedical ethical issues in nursing facilities such as withholding and withdrawing treatment, "do not resuscitate" situations, impaired cognitive decision making by residents with various types of dementia, depressed residents with suicidal tendencies, and possible medical neglect and/or abuse; and residents often do not have signed advance directives on admission and neither they nor their responsible party may completely understand the options that the facility is required to ask about as a result of the Patient Self Determination Act of 1991; and,

WHEREAS, A number of vulnerable nursing facility residents have no or few family members or visitors to monitor their situations and care because at an advanced age their spouse, and even children may have died, and there are few professional health care providers in nursing facilities who are likely to have had much education or training on biomedical ethical issues; and,

WHEREAS, The increasing incidence of litigation against nursing facilities may be related to the lack of focus on the ethical as well as the legal aspects of care; now therefore, be it

RESOLVED, That the 10th Texas Silver-Haired Legislature encourage and strongly recommend that the 79th Texas Legislature pass legislation to require all licensed nursing facilities in Texas to have an Ethics Committee comprised of at least five members including a physician, registered nurse, social worker, ethicist and/or minister/priest/rabbi and that this committee's members may be nursing facility staff members or consultants, with at least one member from the community, and several nursing facilities in the same area may develop and share an Ethics Committee and membership for convenience; said committee's purpose being not to make decisions related to individual resident care but to educate and inform residents, significant others, and staff members about biomedical ethical issues so that they can make informed decisions.

PASSED AND APPROVED this ____ day of September, 2004, by

the _____ Committee,

Chair

PASSED AND APPROVED this ____ day of September, 2004, by

by the Texas Silver-Haired Legislature.

Speaker

ATTEST:

Secretary