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HEALTH AND SAFETY CODE - HSC

DIVISION 2.5. EMERGENCY MEDICAL SERVICES [1797 - 1863] (*Division 2.5 added by Stats. 1980, Ch. 1260.*)

CHAPTER 14. California POLST eRegistry Act [1860 - 1863] (*Chapter 14 added by Stats. 2021, Ch. 143, Sec. 15.*)

1860. This chapter shall be known, and may be cited, as the California POLST eRegistry Act.

(*Added by Stats. 2021, Ch. 143, Sec. 15. (AB 133) Effective July 27, 2021.*)

1861. For purposes of this chapter:

(a) "Authorized user" means a person authorized by the authority to submit information to, or to receive information from, the POLST eRegistry, including health care providers, as defined in Section 4781 of the Probate Code, and their designees.

(b) "CEDRS" means the California Emergency Medical Services Data Resource System.

(c) "POLST" means a Physician Orders for Life Sustaining Treatment form that fulfills the requirements, in any format, of Section 4780 of the Probate Code.

(d) "POLST eRegistry" means the registry established pursuant to this chapter to make electronic, in addition to other modes of submission and transmission, POLST information available to authorized users in conjunction with, and as a part of, CEDRS.

(*Added by Stats. 2021, Ch. 143, Sec. 15. (AB 133) Effective July 27, 2021.*)

1862. (a) The Emergency Medical Services Authority shall establish a POLST eRegistry, in consultation with the Coalition for Compassionate Care of California and other pertinent stakeholders, to operate a statewide electronic registry system for the purpose of collecting a patient's POLST information received from a physician, nurse practitioner, physician assistant, or the designee of a physician, nurse practitioner, or physician assistant, and disseminating the information to an authorized user.

(b) The authority shall adopt regulations for the operation of the POLST eRegistry and shall hold at least one public hearing regarding the proposed regulations. The regulations shall include, but not be limited to, standards and procedures regarding all of the following:

(1) The means by which initial or subsequent POLST information may be submitted to the POLST eRegistry, which shall include a method for electronic delivery of this information and the use of legally sufficient electronic signatures. Submitted information may include new, modified, updated, or voided POLST information.

(2) Methods by which the information in the POLST eRegistry may be disseminated to an authorized user, including a method for electronic access.

(3) Standards and procedures for verifying the identity of an authorized user.

(4) Standards and procedures to ensure the accuracy of, and to appropriately protect the confidentiality of, POLST information submitted to the POLST eRegistry, consistent with state and federal privacy laws.

(c) The authority shall implement the POLST eRegistry in conjunction with CEDRS. The authority shall ensure all of the following requirements are met and that the timing is consistent with the CEDRS project development timeline:

(1) An authorized user shall ensure that the most current version of all POLST forms they have signed have been submitted to the POLST eRegistry.

(2) An electronic version of a POLST shall be the only acceptable format to submit a form to the POLST eRegistry. This section does not prohibit an authorized user from printing out a paper copy of a POLST form for a patient to have on hand, upon request by a patient or the patient's legally recognized decisionmaker.

(Amended by Stats. 2023, Ch. 42, Sec. 21. (AB 118) Effective July 10, 2023.)

1863. (a) For the 2021–22 fiscal year, the sum of ten million dollars (\$10,000,000) is hereby appropriated from the General Fund to the Emergency Medical Services Authority to support the planning, development, and implementation of a statewide POLST eRegistry to be included with the CEDRS system. The ten million dollars (\$10,000,000) for the 2021–22 fiscal year to support these efforts shall not fully fund the POLST eRegistry's implementation or maintenance and operations costs. These costs will be determined through the California Department of Technology planning process, known as the Project Approval Life Cycle (PAL). The authority shall only utilize funds for development and implementation of the POLST eRegistry after it obtains full PAL approval.

(b) For the 2022–23 fiscal year, and annually thereafter, the sum of seven hundred fifty thousand dollars (\$750,000) is hereby appropriated annually from the General Fund to the Emergency Medical Services Authority for state operations to prepare for and support the POLST eRegistry. State operations costs may include, but are not limited to, promotion of POLST quality, such as ongoing education and training of health care professionals, community education, and outreach, and adherence to quality standards. The authority may contract for these activities as necessary.

(Added by Stats. 2021, Ch. 143, Sec. 15. (AB 133) Effective July 27, 2021.)