

Thomas M. Susman
Director
Governmental Affairs Office

AMERICAN BAR ASSOCIATION
740 Fifteenth Street, NW
Washington, DC 20005-1022
(202) 662-1760
FAX: (202) 662-1762
SusmanT@staff.abanet.org

June 29, 2009

The Honorable Jay Rockefeller
Chairman
Subcommittee on Health
Committee on Finance
U.S. Senate
Washington, D.C. 20510

Dear Senator Rockefeller:

On behalf of the American Bar Association, I commend you for your leadership in introducing S. 1150, the *Advance Planning and Compassionate Care Act of 2009*. The proposed Act includes several ABA-supported components aimed at providing steps toward ensuring that every adult's health care wishes are known and respected by his or her physician and by other health care providers, both within one's home state and across state lines. These are needs that have been sorely overlooked by the federal government in its oversight of Medicare and Medicaid. This legislation will spark needed dialog about real policy solutions to meet the needs of patients with serious and chronic life-limiting conditions.

The ABA has placed a high priority on promoting health care advance planning for more than 25 years and actively supported the passage of your Patient Self-Determination Act in 1990. The *Advance Planning and Compassionate Care Act of 2009* builds upon the goals of that Act by offering strategies to improve consumer and provider education, establishing advance care planning as a basic element of patient care, ensuring electronic access to advance directives, strengthening hospice care, and translating patients' wishes into visible and portable medical orders as exemplified by Orders for Life-Sustaining Treatment. This bill also includes meaningful provisions to ensure greater availability of high quality palliative care resources and improved training in palliative care. Since 2000, the ABA has explicitly supported the right of individuals suffering from pain to be informed of, choose, and receive effective pain and symptom evaluation, management, and ongoing monitoring as part of basic medical care.

The ABA stands ready to be a resource in advancing your important efforts in the area.

Sincerely,



Thomas M. Susman