

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Crow offered the following:

Amendment (with title amendment)

On page 11, between lines 13 and 14,

insert:

Section 9. Subsection (3) of section 765.401, Florida Statutes, is amended to read:

765.401 The proxy.--

(3) Before exercising the incapacitated patient's rights to select or decline health care, the proxy must comply with the provisions of ss. 765.205 and 765.305; except that a proxy's decision to withhold or withdraw life-prolonging procedures must be supported by clear and convincing evidence that the decision would have been the one the patient would have chosen had the patient been competent, and a guardian ad litem not related to the patient must be appointed to represent the patient's interests.

Section 10. Paragraph (f) is added to subsection (4) of section 744.3215, Florida Statutes, to read:

(f) Consent to or otherwise direct on behalf of the

1 ward to withdraw or withhold life-prolonging procedures. Any
2 authority exercised under this paragraph must comply with
3 chapter 765.

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6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 On page 2, line 3,

9

10 after the semicolon insert:

11 amending s. 765.401, F.S.; requiring
12 appointment of a guardian ad litem when a proxy
13 seeks to withhold or withdraw life-prolonging
14 procedures; amending s. 744.3215, F.S.;
15 providing that a guardian must seek court
16 approval to withdraw or withhold
17 life-prolonging procedures;

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