

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Crow offered the following:

Amendment (with title amendment)

On page 11, between lines 13 and 14,

insert:

Section 9. Section 10 of this act shall be known as the "Terri Schiavo Act".

Section 10. 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

Section 11. Paragraph (f) is added to subsection (4)

1 of section 744.3215, Florida Statutes, to read:

2 (f) Consent to or otherwise direct on behalf of the
3 ward to withdraw or withhold life-prolonging procedures. Any
4 authority exercised under this paragraph must comply with
5 chapter 765.

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

9 And the title is amended as follows:

10 On page 2, line 3,

11

12 after the semicolon insert:

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

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