Florida Senate - 2003

By Senator Webster

	41-639D-04
1	A bill to be entitled
2	An act relating to the authority for the
3	Governor to issue a one-time stay; authorizing
4	the Governor to issue a one-time stay to
5	prevent the withholding of nutrition and
б	hydration under certain circumstances;
7	providing for expiration of the stay;
8	authorizing the Governor to lift the stay at
9	any time; providing for revocation of the stay;
10	providing that a person is not civilly liable
11	and is not subject to regulatory or
12	disciplinary sanctions for taking an action in
13	compliance with any such stay; providing an
14	effective date.
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16	Be It Enacted by the Legislature of the State of Florida:
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18	Section 1. (1) The Governor shall have the authority
19	to issue a one-time stay to prevent the withholding of
20	nutrition and hydration from a patient if, as of October 15,
21	<u>2003:</u>
22	(a) That patient has no written advance directive;
23	(b) The court has found that patient to be in a
24	persistent vegetative state;
25	(c) That patient has had nutrition and hydration
26	withheld; and
27	(d) A member of that patient's family has challenged
28	the withholding of nutrition and hydration.
29	(2) The Governor's authority to issue the stay expires
30	15 days after the effective date of this act, and the
31	expiration of that authority does not impact the validity or
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the effect of any stay issued pursuant to this act. The Governor may lift the stay authorized under this act at any time. The Governor may revoke the stay upon a finding that a change in the condition of the patient warrants revocation. A person may not be held civilly liable and is not subject to б regulatory or disciplinary sanctions for taking any action to comply with a stay issued by the Governor pursuant to this act. Section 2. This act shall take effect upon becoming a law. SENATE SUMMARY Authorizes the Governor to issue a one-time stay to prevent the withholding of nutrition and hydration under specified circumstances. Provides for the stay to expire 15 days after the effective date of the act. Authorizes the Governor to lift the stay at any time. Provides that a person is not civilly liable and is not subject to regulatory or disciplinary sanctions for taking an action in compliance with any such stay.

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