Bill No. <u>HB 35-E</u>

Amendment No. ____   Barcode 123042

CHAMBER ACTION

<u>Senate</u>   <u>House</u>

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1   1/AD/2R   .   A1/C/3R
    10/21/2003 03:22 PM   .10/21/2003 04:01 PM
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11 Senator Webster moved the following amendment:

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13   **Senate Amendment (with title amendment)**

14   Delete everything after the enacting clause

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16 and insert:

17   Section 1. <u>(1) The Governor shall have the authority</u>

18 <u>to issue a one-time stay to prevent the withholding of</u>

19 <u>nutrition and hydration from a patient if, as of October 15,</u>

20 <u>2003:</u>

21   <u>(a) That patient has no written advance directive;</u>

22   <u>(b) The court has found that patient to be in a</u>

23 <u>persistent vegetative state;</u>

24   <u>(c) That patient has had nutrition and hydration</u>

25 <u>withheld; and</u>

26   <u>(d) A member of that patient's family has challenged</u>

27 <u>the withholding of nutrition and hydration.</u>

28   <u>(2) The Governor's authority to issue the stay expires</u>

29 <u>15 days after the effective date of this act, and the</u>

30 <u>expiration of that authority does not impact the validity or</u>

31 <u>the effect of any stay issued pursuant to this act. The</u>

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1 <u>Governor may lift the stay authorized under this act at any</u>

2 <u>time. A person may not be held civilly liable and is not</u>

3 <u>subject to regulatory or disciplinary sanctions for taking any</u>

4 <u>action to comply with a stay issued by the Governor pursuant</u>

5 <u>to this act.</u>

6   <u>(3) Upon the issuance of a stay, the chief judge of</u>

7 <u>the circuit court shall appoint a guardian ad litem for the</u>

8 <u>patient to make recommendations to the Governor and the court.</u>

9   Section 2. This act shall take effect upon becoming a

10 law.

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

14 And the title is amended as follows:

15   Delete everything before the enacting clause

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17 and insert:

18   A bill to be entitled

19   An act relating to the authority for the

20   Governor to issue a one-time stay; authorizing

21   the Governor to issue a one-time stay to

22   prevent the withholding of nutrition and

23   hydration under certain circumstances;

24   providing for expiration of the stay;

25   authorizing the Governor to lift the stay at

26   any time; providing that a person is not

27   civilly liable and is not subject to regulatory

28   or disciplinary sanctions for taking an action

29   in compliance with any such stay; providing for

30   the chief judge of the circuit court to appoint

31   a guardian ad litem; providing an effective

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1   date.

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