

HB 0035E

2003

A bill to be entitled

An act relating to the authority for the Governor to issue a one-time stay to prevent the withholding of nutrition and hydration from a patient; authorizing the Governor to issue a one-time stay to prevent the withholding of nutrition and hydration under certain circumstances; providing for expiration of the stay; authorizing the Governor to lift the stay under certain circumstances; providing that a person is not civilly liable and is not subject to regulatory or disciplinary sanctions for taking action in compliance with any such stay; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. (1) The Governor may issue a one-time stay to prevent the withholding of nutrition and hydration from a patient if, as of October 15, 2003:

(a) The patient has no written advance directive;

(b) The court has found the patient to be in a persistent vegetative state;

(c) The patient has had nutrition and hydration withheld;
and

(d) A member of the patient's family has challenged the withholding of nutrition and hydration.

(2) The Governor's authority to issue the stay expires 15 days after the effective date of this act, and the expiration of that authority does not impact the validity or the effect of any stay issued pursuant to this act. The Governor may revoke the stay upon a finding that a change in the condition of the

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31 patient warrants revocation. A person may not be held civilly
32 liable and is not subject to regulatory or disciplinary
33 sanctions for taking any action to comply with a stay issued by
34 the Governor pursuant to this act.

35 Section 2. This act shall take effect upon becoming a law.