

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Sobel offered the following:

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3 **Amendment to Amendment (241033) (with directory and title**
4 **amendments)**

5 Remove line(s) 10-72 and insert:

6 paragraph (a), paragraph (b), or paragraph (c).

7 (a) The person who is in a persistent vegetative state has
8 executed a written advance directive, executed a written living
9 will, or designated a health care surrogate which directive,
10 living will, or designation of a surrogate authorizes the
11 withholding or withdrawing of life-prolonging procedures, as
12 defined in s. 765.101.

13 (b) Clear and convincing evidence exists that, while
14 competent and prior to entering into a persistent vegetative
15 state, the person, expressly and unequivocally, directed or

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16 instructed the withholding or withdrawing of artificially
17 provided sustenance or hydration. For purposes of this section,
18 this paragraph does not authorize the application of substituted
19 judgment.

20 (c) The decision to withhold or withdraw sustenance or
21 hydration:

22 1. Would be authorized under s. 765.401(3), and the
23 parties identified in this paragraph agree that:

24 a. The decision is the one the person in a persistent
25 vegetative state would have chosen had the person been
26 competent; or

27 b. If there is no indication of what the person would have
28 chosen, that the decision is in the person's best interests.

29 2. The parties whose agreement is required under this
30 paragraph are all individuals or classes identified in s.
31 765.401(1)(a)-(f) who have:

32 a. Exhibited special care and concern for the person who
33 is in a persistent vegetative state;

34 b. Who have maintained regular contact with the person;
35 and

36 c. Who have expressed an opinion on the decision.

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

39 Remove line(s) 15-20 of the bill title and insert:

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41 apply; authorizing interested persons to petition the

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