

HB 196 -- Surrogate Health Care Decisions

Sponsor: Brandom

This bill requires health care providers to make a reasonable effort to consult with a surrogate if an adult patient is unable to make or communicate health care treatment decisions. A "surrogate" is defined as a person authorized to make health care decisions for a patient by a power of attorney or court order or is the patient's spouse, adult child, parent, sibling, or close friend. If the health care provider is unable to locate a patient's surrogate, the patient's attending physician is allowed to make health care treatment decisions after consulting with and obtaining the recommendations of an institutional ethics committee.

A surrogate, who is not the patient's agent with a durable power of attorney for health care or guardian, is prohibited from making decisions to withdraw the artificial administration of food or fluid; and a person who is an authorized surrogate for health care decisions will not be responsible for payment of the patient's health care costs unless otherwise required to do so.