

REPRINTED

H- 1-31-96 Judiciary  
FILED JAN 22 1996  
H- 2/14/96 Do Pass

SENATE FILE 2066  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 2026)

Passed Senate, Date 1-30-96 <sup>(P.179)</sup> Passed House, Date 2/21/96  
Vote: Ayes 43 Nays 6 Vote: Ayes 74 Nays 20  
Approved March 1, 1996

A BILL FOR

1 An Act relating to assisted suicide and providing criminal  
2 penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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S.F. 2066

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1 Section 1. NEW SECTION. 707A.1 DEFINITIONS.

2 As used in this chapter, unless the context otherwise  
3 requires:

4 1. "Licensed health care professional" means a physician  
5 and surgeon, podiatrist, osteopath, osteopathic physician and  
6 surgeon, physician assistant, nurse, dentist, or pharmacist  
7 required to be licensed under chapter 147.

8 2. "Suicide" means the act or instance of taking a  
9 person's own life voluntarily and intentionally.

10 Sec. 2. NEW SECTION. 707A.2 ASSISTING SUICIDE.

11 1. A person commits a class "C" felony if the person  
12 intentionally or knowingly by force or duress causes, aids or  
13 abets, assists, solicits, or incites another person to commit  
14 or to attempt to commit suicide.

15 2. A person commits a class "D" felony if the person, with  
16 the purpose of assisting another person to commit or to  
17 attempt to commit suicide, intentionally or knowingly does  
18 either of the following:

19 a. Provides or assists in providing the physical means by  
20 which another person commits or attempts to commit suicide.

21 b. Participates in a physical act by which another person  
22 commits or attempts to commit suicide.

23 Sec. 3. NEW SECTION. 707A.3 ACTS OR OMISSIONS NOT  
24 CONSIDERED ASSISTING SUICIDE.

25 1. A licensed health care professional who administers,  
26 prescribes, or dispenses medications or who performs or  
27 prescribes procedures to relieve another person's pain or  
28 discomfort, even if the medication or procedure may hasten or  
29 increase the risk of death, does not violate section 707A.2  
30 unless the medications or procedures are intentionally or  
31 knowingly administered, prescribed, or dispensed with the  
32 primary intention of causing death.

33 2. A licensed health care professional who withholds or  
34 withdraws a life-sustaining procedure in compliance with  
35 chapter 144A or 144B does not violate section 707A.2.

EXPLANATION

1  
2 This bill establishes a penalty of a class "C" felony for  
3 intentionally or knowingly by force or duress causing, aiding  
4 or abetting, assisting, soliciting, or inciting another person  
5 to commit or to attempt suicide. The bill also establishes a  
6 penalty of a class "D" felony for assisting another person to  
7 commit or to attempt suicide by providing the other person  
8 with the physical means by which the other person commits or  
9 attempts to commit suicide or by participating in a physical  
10 act by which the other person commits or attempts to commit  
11 suicide.

12 The bill specifies that administering, prescribing, or  
13 dispensing medications or performing or prescribing procedures  
14 to relieve pain or discomfort, even if the medications or  
15 procedures may hasten or increase the risk of death, does not  
16 constitute assisting suicide, unless the medications or  
17 procedures are intentionally or knowingly administered,  
18 prescribed, or dispensed with the primary intention of causing  
19 death. The bill also provides that if a licensed health care  
20 professional withholds or withdraws life-sustaining procedures  
21 in compliance with the life-sustaining procedures Act or with  
22 durable power of attorney for health care provisions, it does  
23 not constitute assisting a suicide.

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SENATE FILE 2066

S-5026

- 1 Amend Senate File 2066 as follows:  
2 1. Page 1, by inserting before line 23 the  
3 following:  
4 "3. This section does not apply to a parent,  
5 child, or spouse of the person who attempts to commit  
6 or commits suicide."

By ROD HALVORSON

S-5026 FILED JANUARY 30, 1996

LOST

(P.179)

SENATE FILE 2066  
FISCAL NOTE

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The estimate for Senate File 2066 is hereby submitted as a fiscal note pursuant to Joint Rule 17 and as a correctional impact statement pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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Senate File 2066 relates to assisted suicide and provides criminal penalties. The Bill establishes a penalty of a Class "C" felony for intentionally or knowingly aiding another person to commit or to attempt suicide. The Bill also establishes a penalty of a Class "D" felony for providing the physical means or by participating in a physical act by which another person commits or attempts to commit suicide.

ASSUMPTIONS

1. Most offenders will be sentenced to probation.

CORRECTIONAL IMPACT

Sufficient information is not available to estimate the number of assisted suicide and/or attempted assisted suicide cases that occur annually. Therefore, an estimate of the exact impact on the prison population cannot be determined. However, it is anticipated that any impact would not be significant.

FISCAL IMPACT

Because sufficient information is not available, no estimate is possible. However, any impact is not anticipated to be significant.

SOURCES

Department of Human Services  
Criminal and Juvenile Justice Planning Division  
Department of Justice

(LSB 3625sv, PQP)

FILED JANUARY 29, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR

## SENATE FILE 2066

S-5011

1 Amend Senate File 2066 as follows:  
 2 1. Page 1, by inserting after line 35 the  
 3 following:  
 4 "Sec. 4. Section 901.3, Code 1995, is amended by  
 5 adding the following new subsection:  
 6 NEW SUBSECTION. 7. Any mitigating circumstances  
 7 relating to the offense and the defendant's potential  
 8 as a candidate for deferred judgment, deferred  
 9 sentencing, a suspended sentence, or probation, if the  
 10 defendant is charged with or convicted of assisting  
 11 suicide pursuant to section 707A.2."

By STEVEN D. HANSEN

S-5011 FILED JANUARY 25, 1996

*(P. 178) adopted 1/30/96*

## SENATE FILE 2066

S-5012

1 Amend the amendment, S-5005, to Senate File 2066,  
 2 as follows:  
 3 1. Page 1, line 5, by striking the words ", aids  
 4 or abets,".

By DONALD B. REDFERN

S-5012 FILED JANUARY 25, 1996

*(P. 178) adopted 1/30/96*

## SENATE FILE 2066

S-5005

1 Amend Senate File 2066 as follows:  
 2 1. Page 1, by striking lines 11 through 22 and  
 3 inserting the following:  
 4 "A person commits a class "C" felony if the person  
 5 intentionally or knowingly, aids or abets, assists,  
 6 solicits, or incites another person to commit or  
 7 attempt to commit suicide, or participates in a  
 8 physical act by which another person commits or  
 9 attempts to commit suicide."

*(P. 131) adopted 1-24-96* By RANDAL J. GIANNETTO

S-5005 FILED JANUARY 23, 1996

*Motion to R/c by Redfern**1-25-96  
(P. 161)**(P. 178) Motion to R/c adopted 1/30/96**(P. 178) adopted 1/30/96*



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3 requires:

4 1. "Licensed health care professional" means a physician  
5 and surgeon, podiatrist, osteopath, osteopathic physician and  
6 surgeon, physician assistant, nurse, dentist, or pharmacist  
7 required to be licensed under chapter 147.

8 2. "Suicide" means the act or instance of taking a  
9 person's own life voluntarily and intentionally.

10 Sec. 2. NEW SECTION. 707A.2 ASSISTING SUICIDE.

11 A person commits a class "C" felony if the person  
12 intentionally or knowingly assists, solicits, or incites  
13 another person to commit or attempt to commit suicide, or  
14 participates in a physical act by which another person commits  
15 or attempts to commit suicide.

16 Sec. 3. NEW SECTION. 707A.3 ACTS OR OMISSIONS NOT  
17 CONSIDERED ASSISTING SUICIDE.

18 1. A licensed health care professional who administers,  
19 prescribes, or dispenses medications or who performs or  
20 prescribes procedures to relieve another person's pain or  
21 discomfort, even if the medication or procedure may hasten or  
22 increase the risk of death, does not violate section 707A.2  
23 unless the medications or procedures are intentionally or  
24 knowingly administered, prescribed, or dispensed with the  
25 primary intention of causing death.

26 2. A licensed health care professional who withholds or  
27 withdraws a life-sustaining procedure in compliance with  
28 chapter 144A or 144B does not violate section 707A.2.

29 Sec. 4. Section 901.3, Code 1995, is amended by adding the  
30 following new subsection:

31 NEW SUBSECTION. 7. Any mitigating circumstances relating  
32 to the offense and the defendant's potential as a candidate  
33 for deferred judgment, deferred sentencing, a suspended  
34 sentence, or probation, if the defendant is charged with or  
35 convicted of assisting suicide pursuant to section 707A.2.

## SENATE FILE 2066

5098

Amend Senate File 2066, as amended, passed, and reprinted by the Senate, as follows:

1. By striking everything after the enacting clause and inserting the following:

"Section 1. NEW SECTION. 144D.1 SHORT TITLE.

This chapter may be cited as the "Assistance-in-Dying Act".

Sec. 2. NEW SECTION. 144D.2 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Adult" means an individual eighteen years of age or older.

2. "Assistance-in-dying" means assistance in the form of medical services provided in person by a physician that will end the life of a qualified patient in a dignified, painless, and humane manner, when requested, voluntarily, by the patient through a written declaration in accordance with this chapter, at the time the medical service is to be provided.

3. "Attending physician" means the physician selected by, or assigned to, the patient who has primary responsibility for the treatment and care of the patient.

4. "Declaration" means a document executed in accordance with the requirements of section 144D.3.

5. "Health care provider" means a health care facility licensed pursuant to chapter 135C, a hospice program licensed pursuant to chapter 135J, or a hospital licensed pursuant to chapter 135B.

6. "Life-sustaining procedure" means any medical procedure, treatment, or intervention which meets both of the following requirements:

a. Utilizes mechanical or artificial means to sustain, restore, or supplant a spontaneous vital function.

b. When applied to a patient in a terminal condition, would serve only to prolong the dying process.

"Life-sustaining procedure" includes but is not limited to cardiac resuscitation, respiratory support, and artificially administered nutrition and hydration, but does not include the administration of medication to relieve pain or the performance of any medical procedure deemed necessary to alleviate pain.

7. "Physician" means a person licensed to practice medicine and surgery, osteopathy, or osteopathic medicine and surgery in this state.

8. "Qualified patient" means a patient who has executed a declaration in accordance with this chapter and who has been diagnosed to be in a terminal

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1 condition, by two physicians, one of whom is the  
2 attending physician, and both of whom have personally  
3 examined the patient and have certified in writing the  
4 diagnosis of the patient's terminal condition.

5 9. "Terminal condition" means an incurable or  
6 irreversible condition that, without the  
7 administration of life-sustaining procedures, will, in  
8 the opinion of two physicians having examined the  
9 patient and exercising reasonable medical judgment,  
10 result in the death of the patient within six months.

11 Sec. 3. NEW SECTION. 144D.3 DECLARATION RELATING  
12 TO THE PROVISION OF ASSISTANCE-IN-DYING.

13 1. A competent adult may execute a declaration to  
14 request assistance-in-dying at any time. The  
15 declaration shall be given operative effect only if  
16 the declarant's condition is determined to be  
17 terminal. Prior to effectuating a declaration, the  
18 diagnosis of a terminal condition by two physicians  
19 shall be verified in writing, attached to the  
20 declaration, and made a permanent part of the  
21 patient's medical records.

22 2. The declaration shall be signed by the  
23 declarant in the presence of two witnesses, neither of  
24 whom is any of the following:

25 a. A person who would be entitled to any portion  
26 of the estate of the declarant, upon the declarant's  
27 death, under any will of the declarant, then existing,  
28 or at the time of the declaration by operation of  
29 existing law.

30 b. The attending physician, an employee of the  
31 attending physician, or a health care provider in  
32 which the declarant is a patient.

33 3. It is the responsibility of the declarant to  
34 provide the declarant's attending physician with the  
35 declaration.

36 4. The declaration, or a copy of the declaration,  
37 shall be made a part of the patient's medical record  
38 by the attending physician.

39 5. A declaration executed pursuant to this chapter  
40 shall be essentially in the following form, but may  
41 also include other directions as specified by the  
42 declarant:

43 DECLARATION

44 I, \_\_\_\_\_, being of sound mind, willfully, and  
45 voluntarily make known my desire that:

46 1. If at any time I should have an incurable or  
47 irreversible condition, certified by two physicians,  
48 in writing, to be a terminal condition, I direct that  
49 upon my request, my attending physician provide  
50 assistance-in-dying so that I might die in a

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1 dignified, painless, and humane manner.

2 2. It is my intention that this declaration shall  
3 be honored by my family and physician as the final  
4 expression of my legal right to be provided  
5 assistance-in-dying, and I accept the consequences of  
6 this declaration.

7 3. If I am pregnant with a fetus that could  
8 develop to the point of live birth, this declaration  
9 shall have no force or effect during the course of my  
10 pregnancy.

11 4. I understand that I may amend or revoke this  
12 declaration at any time.

13 Signed this \_\_\_\_\_ day of \_\_\_\_\_,

14 Signature \_\_\_\_\_

15 City, County, and State of residence \_\_\_\_\_

16

17 This declarant is personally known to me and  
18 voluntarily signed this document in my presence.

19 Witness \_\_\_\_\_

20 Address \_\_\_\_\_

21 Witness \_\_\_\_\_

22 Address \_\_\_\_\_

23 Sec. 4. NEW SECTION. 144D.4 REVOCATION.

24 1. A declaration may be revoked at any time and in  
25 any manner by which the declarant is able to  
26 communicate the declarant's intent to revoke, without  
27 regard to the declarant's mental or physical state.

28 2. The attending physician shall make the  
29 revocation a part of the declarant's medical record.

30 3. A person is not subject to civil or criminal  
31 liability for failure to act upon a revocation made  
32 pursuant to this section unless the person has actual  
33 or constructive notice of the revocation.

34 Sec. 5. NEW SECTION. 144D.5 IMMUNITIES.

35 1. In the absence of actual or constructive notice  
36 of the revocation of a declaration, the following,  
37 while acting in accordance with the requirements of  
38 this chapter, are not subject to civil or criminal  
39 liability or guilty of unprofessional conduct:

40 a. A physician who provides assistance-in-dying to  
41 a qualified patient.

42 b. The health care provider in which the  
43 assistance-in-dying is provided.

44 c. A person who participates in providing  
45 assistance-in-dying to a qualified patient under the  
46 direction of or with the authorization of the  
47 physician providing the assistance.

48 2. A physician is not subject to civil or criminal  
49 liability for actions under this chapter which are in  
50 accord with reasonable medical standards.

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1 3. A person or health care provider against whom  
2 criminal or civil liability is asserted because of  
3 conduct in compliance with this chapter may interpose  
4 compliance with this chapter as an absolute defense.

5 Sec. 6. NEW SECTION. 144D.6 PENALTIES.

6 1. A person who willfully conceals, withholds,  
7 cancels, destroys, alters, defaces, or obliterates the  
8 declaration of another without the declarant's consent  
9 is guilty of a serious misdemeanor.

10 2. A person who falsifies or forges the  
11 declaration of another, or who willfully conceals or  
12 withholds personal knowledge of a revocation with the  
13 intent to cause the provision of assistance-in-dying  
14 contrary to the wishes of the declarant, resulting in  
15 the provision of assistance-in-dying and the hastening  
16 of the death of another, commits murder as if the  
17 person had personally killed the declarant.

18 Sec. 7. NEW SECTION. 144D.7 GENERAL PROVISIONS.

19 1. Prior to providing assistance-in-dying to a  
20 qualified patient pursuant to a declaration, the  
21 attending physician shall make a reasonable effort to  
22 determine that the declaration complies with this  
23 chapter and that the measures proposed by the  
24 declaration are in accord with the current desires of  
25 the qualified patient. The declaration shall only be  
26 effectuated to end the life of a qualified patient.

27 2. Death resulting from the provision of  
28 assistance-in-dying pursuant to a declaration and in  
29 accordance with this chapter, does not, for any  
30 purpose, constitute a suicide or homicide.

31 3. The making of a declaration pursuant to section  
32 144D.3 does not affect in any manner the sale,  
33 procurement, or issuance of any policy of life  
34 insurance, and shall not be deemed to modify the terms  
35 of an existing policy of life insurance. A policy of  
36 life insurance is not legally impaired or invalidated  
37 in any manner by the provision of assistance-in-dying  
38 pursuant to this chapter, notwithstanding any term of  
39 the policy to the contrary.

40 4. A physician, health care provider, accident and  
41 sickness insurer, health maintenance organization,  
42 insurer issuing disability insurance, self-insured  
43 employee welfare benefit plan, or nonprofit health  
44 service corporation shall not require any person to  
45 execute a declaration as a condition for being insured  
46 for, or receiving, health care services.

47 5. This chapter does not create a presumption  
48 concerning the intention of an individual who has not  
49 executed a declaration with respect to the provision  
50 of assistance-in-dying procedures in the event of a

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1 terminal condition.  
 2 6. This chapter shall not be construed to condone,  
 3 authorize, or approve mercy killing or euthanasia, or  
 4 to permit any affirmative or deliberate act or  
 5 omission to end life other than to permit the natural  
 6 process of dying and to permit death with dignity  
 7 through the provision of assistance-in-dying only by a  
 8 physician when voluntarily requested in writing, as  
 9 provided in this chapter, by a conscious and competent  
 10 qualified patient at the time assistance-in-dying is  
 11 to be provided."

12 2. Title page, line 1, by striking the words  
 13 "assisted suicide" and inserting the following:  
 14 "assistance-in-dying".

By SHOULTZ of Black Hawk

H-5098 FILED FEBRUARY 21, 1996

Not timely filed - Motion to  
Suspend the Rules, Failed

(p. 402)

Giannetto - ch  
Vilsack  
Fraise  
Bartz  
Boettger

# Judiciary

Succeeded By

SE/HF 2066

SENATE FILE

BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY CHAIR-  
PERSON GIANNETTO)

Passed Senate, Date \_\_\_\_\_

Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to assisted suicide and providing civil causes of  
2 action and criminal penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 707A.1 DEFINITIONS.

2 As used in this chapter, unless the context otherwise  
3 requires:

4 1. "Licensed health care professional" means a physician  
5 and surgeon, podiatrist, osteopath, osteopathic physician and  
6 surgeon, physician assistant, nurse, dentist, or pharmacist  
7 required to be licensed under chapter 147.

8 2. "Suicide" means the act or instance of taking a  
9 person's own life voluntarily and intentionally.

10 Sec. 2. NEW SECTION. 707A.2 ASSISTING SUICIDE.

11 1. A person commits a class "C" felony if the person  
12 intentionally or knowingly by force or duress causes, aids or  
13 abets, assists, solicits, or incites another person to commit  
14 or to attempt to commit suicide.

15 2. A person commits a class "D" felony if the person, with  
16 the purpose of assisting another person to commit or to  
17 attempt to commit suicide, intentionally or knowingly does  
18 either of the following:

19 a. Provides or assists in providing the physical means by  
20 which another person commits or attempts to commit suicide.

21 b. Participates in a physical act by which another person  
22 commits or attempts to commit suicide.

23 Sec. 3. NEW SECTION. 707A.3 ACTS OR OMISSIONS NOT  
24 CONSIDERED ASSISTING SUICIDE.

25 1. A licensed health care professional who administers,  
26 prescribes, or dispenses medications or procedures to relieve  
27 another person's pain or discomfort, even if the medication or  
28 procedure may hasten or increase the risk of death, does not  
29 violate section 707A.2 unless the medications or procedures  
30 are intentionally or knowingly administered, prescribed, or  
31 dispensed with the primary intention of causing death.

32 2. A licensed health care professional who withholds or  
33 withdraws a life-sustaining procedure in compliance with  
34 chapter 144A or 144B does not violate section 707A.2.

35 Sec. 4. NEW SECTION. 707A.4 CAUSES OF ACTION.

1 1. A cause of action for injunctive relief may be  
2 maintained against a person who is reasonably believed to be  
3 about to violate or who is attempting to violate section  
4 707A.2 and a cause of action for wrongful death may be  
5 maintained following the death of a person resulting from the  
6 violation of section 707A.2 by a person who is any of the  
7 following:

8 a. The spouse, parent, child, or sibling of the person who  
9 would commit suicide or committed suicide.

10 b. A person entitled to inherit from the person who would  
11 commit suicide or committed suicide.

12 c. A public official with appropriate jurisdiction to  
13 prosecute or enforce the laws of this state.

14 2. Compensatory and exemplary damages may be awarded under  
15 this section whether or not the plaintiff consents to or has  
16 prior knowledge of the violation or attempt.

17 3. Reasonable attorney's fees shall be awarded to a  
18 plaintiff who prevails in a civil action brought under this  
19 section.

20 EXPLANATION

21 This bill establishes a penalty of a class "C" felony for  
22 intentionally or knowingly by force or duress causing, aiding  
23 or abetting, assisting, soliciting, or inciting another person  
24 to commit or to attempt suicide. The bill also establishes a  
25 penalty of a class "D" felony for assisting another person to  
26 commit or to attempt suicide by providing the other person  
27 with the physical means by which the other person commits or  
28 attempts to commit suicide or by participating in a physical  
29 act by which the other person commits or attempts to commit  
30 suicide.

31 The bill specifies that prescribing or dispensing  
32 medications or procedures to relieve pain or discomfort, even  
33 if the medications or procedures may hasten or increase the  
34 risk of death, does not constitute assisting suicide, unless  
35 the medications or procedures are intentionally or knowingly

1 administered, prescribed or dispensed with the primary  
2 intention of causing death. The bill also provides that if a  
3 licensed health care professional withholds or withdraws life-  
4 sustaining procedures in compliance with the life-sustaining  
5 procedures Act or with durable power of attorney for health  
6 care provisions, it does not constitute assisting a suicide.

7 The bill also establishes that a cause of action for  
8 injunctive relief may be maintained against a person who is  
9 reasonably believed to be about to violate or who is  
10 attempting to violate the provisions of the bill and provides  
11 for the maintaining of a cause of action for wrongful death  
12 following the death of a person resulting from a violation of  
13 the bill. A cause of action may be maintained by a spouse,  
14 parent, child or sibling of the person who would commit or  
15 committed suicide; by a person entitled to inherit from the  
16 person who would commit or who committed suicide; or by a  
17 public official with jurisdiction to prosecute or enforce  
18 state law. The bill provides payment of compensatory and  
19 exemplary damages and for awarding of reasonable attorney's  
20 fees to the prevailing party in a civil suit.

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SENATE FILE 2066

Sec. 4. Section 901.3, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 7. Any mitigating circumstances relating to the offense and the defendant's potential as a candidate for deferred judgment, deferred sentencing, a suspended sentence, or probation, if the defendant is charged with or convicted of assisting suicide pursuant to section 707A.2.

AN ACT

RELATING TO ASSISTED SUICIDE AND PROVIDING CRIMINAL PENALTIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 707A.1 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Licensed health care professional" means a physician and surgeon, podiatrist, osteopath, osteopathic physician and surgeon, physician assistant, nurse, dentist, or pharmacist required to be licensed under chapter 147.

2. "Suicide" means the act or instance of taking a person's own life voluntarily and intentionally.

Sec. 2. NEW SECTION. 707A.2 ASSISTING SUICIDE.

A person commits a class "C" felony if the person intentionally or knowingly assists, solicits, or incites another person to commit or attempt to commit suicide, or participates in a physical act by which another person commits or attempts to commit suicide.

Sec. 3. NEW SECTION. 707A.3 ACTS OR OMISSIONS NOT CONSIDERED ASSISTING SUICIDE.

1. A licensed health care professional who administers, prescribes, or dispenses medications or who performs or prescribes procedures to relieve another person's pain or discomfort, even if the medication or procedure may hasten or increase the risk of death, does not violate section 707A.2 unless the medications or procedures are intentionally or knowingly administered, prescribed, or dispensed with the primary intention of causing death.

2. A licensed health care professional who withholds or withdraws a life-sustaining procedure in compliance with chapter 144A or 144B does not violate section 707A.2.

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LEONARD L. BOSWELL  
President of the Senate

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RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2066, Seventy-sixth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved *March 1*, 1996

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TERRY E. BRANSTAD  
Governor