

House File 2577

H-8167

1 Amend House File 2577 as follows:

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

4 <Section 1. Section 633.635, subsection 2, paragraph a,
5 Code 2024, is amended to read as follows:

6 a. Making decisions regarding the care, maintenance, health,
7 education, welfare, and safety of the protected person except
8 as otherwise limited by the court. Decisions regarding a
9 protected person's health include all of the following:

10 (1) The ability to enter into hospice care if the protected
11 person is deemed to have a terminal condition defined in
12 section 144A.2 and is in palliative care.

13 (2) The power to withhold or withdraw life-sustaining
14 procedures from a patient pursuant to section 144A.7.

15 (3) (a) The power to execute, reaffirm, and revoke
16 a do-not-resuscitate order pursuant to section 144A.7A
17 provided that a do-not-resuscitate order may only be executed,
18 reaffirmed, or revoked for a protected person who is in
19 a terminal condition and who is comatose, incompetent, or
20 otherwise physically or mentally incapable of communication
21 and has not made a declaration in accordance with section
22 144A.7A, if there is consultation and written agreement for the
23 executing, reaffirming, or revoking of a do-not-resuscitate
24 order by the attending physician, the guardian, and any of the
25 following individuals, who shall be guided by the express or
26 implied intentions of the protected person, in the following
27 order of priority if no individual in a prior class is
28 reasonably available, willing, and competent to act:

29 (i) The attorney in fact designated to make treatment
30 decisions for the protected person should the protected person
31 be diagnosed as suffering from a terminal condition, if the
32 designation is in writing and complies with chapter 144B.

33 (ii) The protected person's spouse.

34 (iii) An adult child of the protected person or, if the
35 protected person has more than one adult child, a majority

1 of the adult children who are reasonably available for
2 consultation.

3 (iv) A parent of the protected person, or parents if both
4 are reasonably available.

5 (v) An adult sibling of the protected person.

6 (b) When a decision is made pursuant to this subparagraph to
7 execute, reaffirm, or revoke a do-not-resuscitate order, there
8 shall be a witness present at the time of the consultation when
9 that decision is made.

10 Sec. 2. Section 633.635, subsection 3, paragraph b,
11 subparagraph (1), Code 2024, is amended to read as follows:

12 (1) (a) The withholding or withdrawal of life-sustaining
13 procedures from the protected person in accordance with chapter
14 144A or 144D.

15 (b) The guardian may also request court approval to
16 enter the protected person into hospice care; to consent to,
17 reaffirm, or revoke an out-of-hospital do-not-resuscitate
18 order pursuant to section 144A.7A; or to execute, reaffirm,
19 change, or revoke a physician order for scope of treatment form
20 pursuant to chapter 144D at any time that all of the following
21 conditions are met:

22 (i) The protected person is eligible for hospice care, is in
23 a terminal condition as defined by section 144A.2, or meets the
24 definition of a patient as defined in section 144D.1.

25 (ii) The decision is consistent with the express or implied
26 intention of the protected person or, if such intentions
27 are unknown, the decision is in the protected person's best
28 interests given the protected person's overall medical
29 condition and prognosis.

30 (iii) The guardian has consulted with the protected
31 person's attending physician, and the attending physician has
32 provided written agreement with the decision.>

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