

Senate Amendment to  
House File 2305

H-8377

1 Amend House File 2305, as amended, passed, and reprinted by  
2 the House, as follows:

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

5 <Section 1. Section 135J.1, Code 2026, is amended to read  
6 as follows:

7 **135J.1 Definitions.**

8 For the purposes of **this chapter** unless otherwise defined:

9 1. "Attending physician provider" means a physician licensed  
10 pursuant to ~~chapter 148~~ or a physician assistant licensed  
11 pursuant to ~~chapter 148C~~, physician assistant, or an advanced  
12 registered nurse practitioner who is licensed in this state.

13 2. "Attorney in fact" means the same as defined in section  
14 144B.1.

15 ~~2.~~ 3. "Core services" means physician services, nursing  
16 services, medical social services, counseling services,  
17 and ~~volunteer~~ services provided by volunteers. These core  
18 services, as well as others deemed necessary by the hospice  
19 in delivering safe and appropriate care to ~~its case load~~ the  
20 hospice's hospice patients, can be provided through either  
21 direct or indirect arrangement by the hospice.

22 ~~3.~~ 4. "Department" means the department of inspections,  
23 appeals, and licensing.

24 5. "Guardian" means the same as defined in section 633.3.

25 ~~4.~~ 6. "Hospice patient" or "patient" means a diagnosed  
26 terminally ill person an individual with an anticipated life  
27 expectancy of six months or less, as certified by the attending  
28 physician provider, who, ~~alone or in conjunction with a unit~~  
29 ~~of care as defined in subsection 9,~~ has voluntarily requested  
30 and received admission into the a hospice program. If the  
31 patient is unable to request admission, a family member the  
32 may voluntarily request and receive admission on the patient's  
33 behalf. An individual may make this request in conjunction  
34 with a unit of care, the individual's attorney in fact,  
35 the individual's guardian, or the majority of the guardians

1 if the individual has more than one guardian with equal  
2 responsibilities appointed.

3 ~~5-~~ 7. "*Hospice patient's family*" means the immediate kin of  
4 ~~the~~ a hospice patient, including a spouse, parent, stepparent,  
5 brother, sister, stepbrother, stepsister, child, or stepchild.  
6 Additional relatives or individuals with significant personal  
7 ties to the hospice patient may be included in the hospice  
8 patient's family.

9 ~~6-~~ 8. "*Hospice program*" means a centrally coordinated  
10 program of home and inpatient care provided directly or through  
11 an agreement under the direction of an identifiable hospice  
12 administration providing ~~palliative care~~ directed at symptom  
13 management and supportive medical and other health services  
14 to ~~terminally ill~~ hospice patients and their families. A  
15 licensed hospice program shall utilize a medically directed  
16 interdisciplinary team and provide care to meet the physical,  
17 emotional, social, spiritual, and other special needs which  
18 are experienced during the final stages of illness, dying, and  
19 bereavement. Hospice care shall be available twenty-four hours  
20 a day, seven days a week.

21 ~~7-~~ 9. "*Interdisciplinary team*" means the hospice patient  
22 and the hospice patient's family, the attending ~~physician~~  
23 provider, and all of the following individuals trained to serve  
24 with a licensed hospice program:

- 25 a. A licensed physician pursuant to [chapter 148](#).
- 26 b. A licensed registered nurse pursuant to [chapter 152](#).
- 27 c. An individual with at least a baccalaureate degree in the  
28 field of social work providing medical-social services.
- 29 d. ~~Trained hospice volunteers~~ Volunteers.
- 30 e. As deemed appropriate by the hospice, physician  
31 assistants, providers of special services including but not  
32 limited to a spiritual counselor, ~~a pharmacist~~ pharmacists, or  
33 professionals in the fields of mental health may be included  
34 on the interdisciplinary team.

35 ~~8-~~ 10. "*Palliative care*" means specialized medical care

1 ~~directed at managing symptoms experienced by the hospice~~  
2 ~~provided to a patient, as well as addressing related needs~~  
3 ~~of the patient and family as they experience the stress of~~  
4 ~~the dying process~~ who has been diagnosed by the patient's  
5 attending provider with a serious illness. Palliative care is  
6 stress and symptom management care, based on the needs of the  
7 patient rather than the patient's diagnosis, provided by an  
8 interdisciplinary team. The intent of palliative care is to  
9 enhance the quality of life for the hospice patient and family  
10 unit, ~~and is not treatment directed at cure of the terminal~~  
11 ~~illness.~~ Palliative care may be provided at any stage of a  
12 patient's serious illness, regardless of the patient's age, and  
13 may be provided in conjunction with curative treatment for the  
14 serious illness.

15 11. "Serious illness" means a health condition that  
16 carries a high risk of mortality and either negatively impacts  
17 an individual's daily functioning or quality of life, or  
18 excessively strains the individual's caregivers.

19 12. "Terminal condition" means the same as defined in  
20 section 144A.2.

21 ~~9.~~ 13. "Unit of care" means the a hospice patient and the a  
22 hospice patient's family within a hospice program.

23 ~~10.~~ 14. "Volunteer services" "Volunteer" means the services  
24 provided by individuals an individual who have has successfully  
25 completed a training program developed by a licensed hospice  
26 program and who provides services.

27 Sec. 2. Section 135J.3, Code 2026, is amended to read as  
28 follows:

29 **135J.3 Basic requirements.**

30 A licensed hospice program shall include:

31 1. A planned program of hospice care, the medical components  
32 of which shall be under the direction of an attending ~~physician~~  
33 provider.

34 2. Centrally administered, coordinated hospice core  
35 services provided in home, outpatient, or institutional

1 settings.

2 3. A mechanism that assures the rights of ~~the patient and~~  
3 family a unit of care.

4 4. ~~Palliative care~~ Symptom management provided to a hospice  
5 ~~patient and family~~ unit of care under the direction of an  
6 attending physician provider.

7 5. An interdisciplinary team which develops, implements,  
8 and evaluates the hospice plan of care for ~~the patient and~~  
9 family a unit of care.

10 6. Bereavement services.

11 7. Accessible hospice care twenty-four hours a day, seven  
12 days a week in all settings.

13 8. An ongoing system of quality assurance and utilization  
14 review.

15 **Sec. 3. NEW SECTION. 135J.3A Patient incapable of making a**  
16 **treatment decision.**

17 1. *a.* A request for admission and placement in a hospice  
18 program for a patient who has a terminal condition, and  
19 who is comatose, incompetent, or otherwise physically or  
20 mentally incapable of communication, and who has not expressed  
21 their desire for palliative care or a hospice program, may  
22 be made by the patient's attorney in fact or the patient's  
23 guardian. If the patient has more than one guardian with  
24 equal responsibilities appointed, the decision agreed to by a  
25 majority of guardians. If a majority consensus is not achieved  
26 by the guardians, a court order shall be required.

27 *b.* If a patient does not have an attorney in fact or a  
28 guardian, the request may be made by an individual, in the same  
29 order of priority prescribed in section 144A.7, subsection 1,  
30 paragraph "b", who shall be guided by the express or implied  
31 intentions of the patient and who is reasonably available,  
32 willing, and competent to make a request.

33 2. This section shall not apply to a guardian appointed  
34 under chapter 232D.

35 **Sec. 4. Section 144A.2, Code 2026, is amended to read as**

1 follows:

2 **144A.2 Definitions.**

3 Except as otherwise provided, as used in [this chapter](#):

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

6 2. "*Advanced registered nurse practitioner*" means the same as  
7 defined in section 152.1.

8 ~~2. 3. "*Attending physician provider*" means the physician~~  
9 ~~selected by, or assigned to, the patient who has primary~~  
10 ~~responsibility for the treatment and care of the patient same~~  
11 ~~as defined in section 135J.1.~~

12 ~~3. 4. "*Attending physician assistant*" means the physician~~  
13 ~~assistant selected by, or assigned to, the patient who has~~  
14 ~~primary responsibility for the treatment and care of the~~  
15 ~~patient "*Attorney in fact*" means the same as defined in section~~  
16 ~~144B.1.~~

17 5. "*Close adult friend*" means a friend of a patient to whom  
18 all of the following apply:

19 a. The individual is at least eighteen years of age.

20 b. The individual has shown special care and concern for the  
21 patient.

22 c. The individual maintains regular contact with the patient  
23 and is familiar with the patient's health, activities, and  
24 beliefs.

25 d. The individual has provided an affidavit to the patient's  
26 attending provider that states that the individual is willing  
27 and able to be involved in the patient's care.

28 ~~4. 6. "*Declaration*" means a document executed in accordance~~  
29 ~~with the requirements of [section 144A.3](#).~~

30 ~~5. 7. "*Department*" means the department of health and human~~  
31 ~~services.~~

32 ~~6. 8. "*Emergency medical care provider*" means emergency~~  
33 ~~medical care provider as defined in [section 147A.1](#).~~

34 ~~7. 9. "*Health care provider*" means a person, including an~~  
35 ~~emergency medical care provider, who is licensed, certified, or~~

1 otherwise authorized or permitted by the law of this state to  
2 administer health care in the ordinary course of business or in  
3 the practice of a profession.

4 ~~8.~~ 10. "*Hospital*" means hospital as defined in section  
5 135B.1.

6 ~~9.~~ 11. *a.* "*Life-sustaining procedure*" means any medical  
7 procedure, treatment, or intervention, including resuscitation,  
8 which meets both of the following requirements:

9 (1) Utilizes mechanical or artificial means to sustain,  
10 restore, or supplant a spontaneous vital function.

11 (2) When applied to a patient in a terminal condition, would  
12 serve only to prolong the dying process.

13 *b.* "*Life-sustaining procedure*" does not include the  
14 provision of nutrition or hydration except when required  
15 to be provided parenterally or through intubation, or the  
16 administration of medication or performance of any medical  
17 procedure deemed necessary to provide comfort care or to  
18 alleviate pain.

19 ~~10.~~ 12. "*Out-of-hospital do-not-resuscitate order*" means  
20 a written order signed by a ~~physician~~ an attending provider,  
21 executed in accordance with the requirements of section  
22 144A.7A and issued consistent with [this chapter](#), that directs  
23 the withholding or withdrawal of resuscitation when an adult  
24 patient in a terminal condition is outside the hospital.

25 ~~11.~~ 13. "*Physician*" means a person licensed to practice  
26 medicine and surgery or osteopathic medicine and surgery in  
27 this state.

28 ~~12.~~ 14. "*Physician assistant*" means a person licensed to  
29 practice as a physician assistant in this state.

30 ~~13.~~ 15. "*Qualified patient*" means a patient who has  
31 executed a declaration or an out-of-hospital do-not-resuscitate  
32 order in accordance with [this chapter](#) and who has been  
33 determined by the patient's attending ~~physician~~ provider to be  
34 in a terminal condition.

35 ~~14.~~ 16. "*Resuscitation*" means any medical intervention that

1 utilizes mechanical or artificial means to sustain, restore,  
2 or supplant a spontaneous vital function, including but not  
3 limited to chest compression, defibrillation, intubation, and  
4 emergency drugs intended to alter cardiac function or otherwise  
5 to sustain life.

6 ~~15.~~ 17. "*Terminal condition*" means an incurable or  
7 irreversible condition that, without the administration  
8 of life-sustaining procedures, will, in the opinion of  
9 the attending ~~physician~~ provider, result in death within  
10 a relatively short period of time or a state of permanent  
11 unconsciousness from which, to a reasonable degree of medical  
12 certainty, there can be no recovery.

13 Sec. 5. Section 144A.3, subsections 3 and 5, Code 2026, are  
14 amended to read as follows:

15 3. It is the responsibility of the declarant to provide  
16 the declarant's attending ~~physician or health care~~ provider  
17 with the declaration. An attending ~~physician or health care~~  
18 provider may presume, in the absence of actual notice to the  
19 contrary, that the declaration complies with [this chapter](#) and  
20 is valid.

21 5. A declaration executed pursuant to [this chapter](#) may, but  
22 need not, be in the following form:

23 DECLARATION

24 If I should have an incurable or irreversible condition that  
25 will result either in death within a relatively short period  
26 of time or a state of permanent unconsciousness from which,  
27 to a reasonable degree of medical certainty, there can be no  
28 recovery, it is my desire that my life not be prolonged by  
29 the administration of life-sustaining procedures. If I am  
30 unable to participate in my health care decisions, I direct  
31 my attending ~~physician~~ provider to withhold or withdraw  
32 life-sustaining procedures that merely prolong the dying  
33 process and are not necessary to my comfort or freedom from  
34 pain.

35 Sec. 6. Section 144A.4, Code 2026, is amended to read as

1 follows:

2 **144A.4 Revocation of declaration.**

3 1. A declaration may be revoked at any time and in any  
4 manner by which the declarant is able to communicate the  
5 declarant's intent to revoke, without regard to mental or  
6 physical condition. A revocation is only effective as to the  
7 attending ~~physician or attending physician assistant~~ provider  
8 upon communication to such ~~physician or physician assistant~~  
9 attending provider by the declarant or by another to whom the  
10 revocation was communicated.

11 2. The attending ~~physician or attending physician assistant~~  
12 provider shall make the revocation a part of the declarant's  
13 medical record.

14 Sec. 7. Section 144A.5, Code 2026, is amended to read as  
15 follows:

16 **144A.5 Determination of terminal condition.**

17 When an attending physician provider who has been provided  
18 with a declaration determines that the declarant is in a  
19 terminal condition, this decision must be confirmed by another  
20 physician, advanced registered nurse practitioner, or physician  
21 assistant. The attending physician provider must record ~~that~~  
22 the determination in the declarant's medical record.

23 Sec. 8. Section 144A.6, subsection 2, Code 2026, is amended  
24 to read as follows:

25 2. The declaration of a qualified patient known to the  
26 attending physician provider to be pregnant shall not be in  
27 effect as long as the fetus could develop to the point of live  
28 birth with continued application of life-sustaining procedures.  
29 However, the provisions of **this subsection** do not impair any  
30 existing rights or responsibilities that any person may have  
31 in regard to the withholding or withdrawal of life-sustaining  
32 procedures.

33 Sec. 9. Section 144A.7, subsections 1 and 2, Code 2026, are  
34 amended to read as follows:

35 1. a. Life-sustaining procedures may be withheld or

1 withdrawn from a patient who is in a terminal condition and who  
2 is comatose, incompetent, or otherwise physically or mentally  
3 incapable of communication, and who has not made a declaration  
4 in accordance with ~~this chapter~~ section 144A.3 if there is  
5 consultation and written agreement for the withholding or the  
6 withdrawal of life-sustaining procedures between the attending  
7 physician provider, another physician, advanced registered  
8 nurse practitioner, or physician assistant, and the patient's  
9 attorney in fact, the patient's guardian appointed pursuant to  
10 chapter 633, or the patient's guardian who has obtained court  
11 approval in accordance with section 232D.401, subsection 4,  
12 paragraph "a". If the patient has more than one guardian with  
13 equal responsibilities appointed, the decision agreed to by  
14 a majority of the guardians. If a majority consensus is not  
15 achieved by the guardians, a court order shall be required.

16 b. If a patient does not have an attorney in fact, a  
17 guardian appointed pursuant to chapter 633, or a guardian  
18 who has obtained court approval in accordance with section  
19 232D.401, subsection 4, paragraph "a", the decision may be  
20 made by any of the following individuals, who shall be guided  
21 by the express or implied intentions of the patient, in the  
22 following order of priority if no individual in a prior class  
23 the previous priority is reasonably available, willing, and  
24 competent to ~~act~~ make the decision:

25 ~~a. The attorney in fact designated to make treatment~~  
26 ~~decisions for the patient should such person be diagnosed as~~  
27 ~~suffering from a terminal condition, if the designation is in~~  
28 ~~writing and complies with chapter 144B.~~

29 ~~b. The guardian of the person of the patient if one has been~~  
30 ~~appointed, provided court approval is obtained in accordance~~  
31 ~~with section 232D.401, subsection 4, paragraph "a", or section~~  
32 ~~633.635, subsection 3, paragraph "b", subparagraph (1). This~~  
33 ~~paragraph does not require the appointment of a guardian in~~  
34 ~~order for a treatment decision to be made under this section.~~

35 ~~c.~~ (1) The patient's spouse.

1 ~~d.~~ (2) An adult child of the patient or, if the patient  
2 has more than one adult child, the decision agreed to by a  
3 majority of the adult children who are reasonably available for  
4 consultation with the patient's attending provider.

5 ~~e.~~ (3) A parent of the patient, ~~or parents~~ if the patient  
6 has more than one parent, the decision agreed to by both  
7 parents if both are reasonably available for consultation with  
8 the patient's attending provider.

9 ~~f.~~ (4) An adult sibling of the patient or, if the patient  
10 has more than one adult sibling, the decision agreed to by a  
11 majority of the adult siblings who are reasonably available for  
12 consultation with the patient's attending provider.

13 (5) The decision agreed to by a majority of the patient's  
14 adult relatives, including but not limited to grandchildren,  
15 grandparents, aunts, uncles, nieces, nephews, stepchildren,  
16 stepparents, and stepsiblings who are reasonably available for  
17 consultation with the patient's attending provider.

18 (6) A close adult friend.

19 2. When a decision is made pursuant to [this section](#) to  
20 withhold or withdraw life-sustaining procedures, there shall  
21 be a witness present at the time of the consultation with the  
22 patient's attending provider when ~~that~~ the decision is made.

23 Sec. 10. Section 144A.7A, subsections 1 and 3, Code 2026,  
24 are amended to read as follows:

25 1. If an attending ~~physician or attending physician~~  
26 ~~assistant~~ provider issues an out-of-hospital do-not-resuscitate  
27 order for an adult patient under [this section](#), the ~~physician~~  
28 attending provider shall use the form prescribed pursuant to  
29 subsection 2, include a copy of the order in the patient's  
30 medical record, and provide a copy to the patient or an  
31 individual authorized to act on the patient's behalf.

32 3. The out-of-hospital do-not-resuscitate order form shall  
33 include all of the following:

- 34 a. The patient's name.
- 35 b. The patient's date of birth.

- 1     *c.* The name of the individual authorized to act on the  
2 patient's behalf, if applicable.
- 3     *d.* A statement that the patient is in a terminal condition.
- 4     *e.* The ~~physician's or physician assistant's~~ attending  
5 provider's signature.
- 6     *f.* The date the form is signed.
- 7     *g.* A concise statement of the nature and scope of the order.
- 8     *h.* Any other information necessary to provide clear and  
9 reliable instructions to a health care provider.

10     Sec. 11. NEW SECTION. **144A.7B Procedure in absence of**  
11 **out-of-hospital do-not-resuscitate order.**

12     1. *a.* Resuscitation may be withheld or withdrawn from a  
13 patient who has a terminal condition, and who is comatose,  
14 incompetent, or otherwise physically or mentally incapable of  
15 communication, and who has not executed an out-of-hospital  
16 do-not-resuscitate order, if there is consultation and  
17 written agreement for the withholding or the withdrawal of  
18 resuscitation between the attending provider and another  
19 physician, advanced registered nurse practitioner, or physician  
20 assistant, and the patient's attorney in fact, the patient's  
21 guardian appointed pursuant to chapter 633, or the patient's  
22 guardian who has obtained court approval in accordance  
23 with section 232D.401, subsection 4, paragraph "a". If the  
24 patient has more than one guardian appointed with equal  
25 responsibilities, the decision agreed to by a majority of the  
26 guardians. If a majority consensus is not achieved by the  
27 guardians, a court order shall be required.

28     *b.* If a patient does not have an attorney in fact, a  
29 guardian appointed pursuant to chapter 633, or a guardian  
30 who has obtained a court approval in accordance with section  
31 232D.401, subsection 4, paragraph "a", the decision may be made  
32 by an individual, in the same order of priority prescribed in  
33 section 144A.7, subsection 1, paragraph "b", who shall be guided  
34 by the express or implied intentions of the patient and who  
35 is reasonably available, willing, and competent to make the

1 decision.

2 2. When a decision is made pursuant to this section to  
3 withhold or withdraw resuscitation, a witness shall be present  
4 at the time of the consultation with the patient's attending  
5 provider when the decision is made.

6 3. This section shall only apply to a patient located in a  
7 health care facility as that term is defined in section 135C.1,  
8 a health facility as that term is defined in section 135P.1, or  
9 a hospice facility certified by the centers for Medicare and  
10 Medicaid services of the United States department of health and  
11 human services.

12 Sec. 12. Section 144A.8, subsection 1, Code 2026, is amended  
13 to read as follows:

14 1. An attending ~~physician~~ provider who is unwilling to  
15 comply with the requirements of [section 144A.5](#), or who is  
16 unwilling to comply with the declaration of a qualified  
17 patient in accordance with [section 144A.6](#) or an out-of-hospital  
18 do-not-resuscitate order pursuant to [section 144A.7A](#), or who is  
19 unwilling to comply with the provisions of [section 144A.7](#) or  
20 [144A.7A](#) shall take all reasonable steps to effect the transfer  
21 of the patient to another ~~physician~~ provider.

22 Sec. 13. Section 144B.1, Code 2026, is amended to read as  
23 follows:

24 **144B.1 Definitions.**

25 For purposes of [this chapter](#), unless the context otherwise  
26 requires:

27 1. "Attending provider" means the same as defined in section  
28 135J.1.

29 ~~1-~~ 2. "Attorney in fact" means an individual who is  
30 designated by a durable power of attorney for health care as an  
31 agent to make health care decisions on behalf of a principal  
32 and has consented to act in that capacity.

33 ~~2-~~ 3. "Designee" means a person named in a declaration  
34 under [chapter 144C](#).

35 ~~3-~~ 4. "Durable power of attorney for health care" means a

1 document authorizing an attorney in fact to make health care  
2 decisions for the principal if the principal is unable, in the  
3 judgment of the attending ~~physician or attending physician~~  
4 ~~assistant~~ provider, to make health care decisions.

5 ~~4.~~ 5. "Health care" means any care, treatment, service,  
6 or procedure to maintain, diagnose, or treat an individual's  
7 physical or mental condition. "Health care" does not include  
8 the provision of nutrition or hydration except when they are  
9 required to be provided parenterally or through intubation.

10 ~~5.~~ 6. "Health care decision" means the consent, refusal of  
11 consent, or withdrawal of consent to health care.

12 ~~6.~~ 7. "Health care provider" means a person who is  
13 licensed, certified, or otherwise authorized or permitted by  
14 the ~~law~~ laws of this state to administer health care in the  
15 ordinary course of business or in the practice of a profession.

16 ~~7.~~ 8. "Principal" means a person age eighteen or older who  
17 has executed a durable power of attorney for health care.

18 Sec. 14. Section 144B.5, subsection 1, Code 2026, is amended  
19 to read as follows:

20 1. A durable power of attorney for health care executed  
21 pursuant to [this chapter](#) may, but need not, be in the following  
22 form:

23 I hereby designate ..... as my attorney in fact (my  
24 agent) and give to my agent the power to make health care  
25 decisions for me. This power exists only when I am unable, in  
26 the judgment of my attending ~~physician or attending physician~~  
27 ~~assistant~~ provider, to make those health care decisions. The  
28 attorney in fact must act consistently with my desires as  
29 stated in this document or otherwise made known.

30 Except as otherwise specified in this document, this document  
31 gives my agent the power, where otherwise consistent with the  
32 ~~law~~ laws of this state, to consent to my ~~physician or physician~~  
33 ~~assistant~~ attending provider not giving health care or stopping  
34 health care which is necessary to keep me alive.

35 This document gives my agent power to make health care

1 decisions on my behalf, including to consent, to refuse to  
2 consent, or to withdraw consent to the provision of any care,  
3 treatment, service, or procedure to maintain, diagnose, or  
4 treat a physical or mental condition. This power is subject  
5 to any statement of my desires and any limitations included in  
6 this document.

7 My agent has the right to examine my medical records and to  
8 consent to disclosure of such records.

9 Sec. 15. Section 144B.6, subsection 1, Code 2026, is amended  
10 to read as follows:

11 1. Unless the district court sitting in equity specifically  
12 finds that the attorney in fact is acting in a manner contrary  
13 to the wishes of the principal or the durable power of attorney  
14 for health care provides otherwise, an attorney in fact who  
15 is known to the health care provider to be available and  
16 willing to make health care decisions has priority over any  
17 other person, including a guardian appointed pursuant to  
18 chapter 633, to act for the principal in all matters of health  
19 care decisions. The attorney in fact has authority to make  
20 a particular health care decision only if the principal is  
21 unable, in the judgment of the attending ~~physician or attending~~  
22 ~~physician assistant~~ provider, to make the health care decision.  
23 If the principal objects to a decision to withhold or withdraw  
24 health care, the principal shall be presumed to be able to make  
25 a decision.

26 Sec. 16. Section 144C.2, subsection 16, Code 2026, is  
27 amended to read as follows:

28 16. "*Licensed hospice program*" means a licensed hospice  
29 program as ~~defined~~ described in [section 135J.1](#).

30 Sec. 17. Section 633.635, Code 2026, is amended by adding  
31 the following new subsection:

32 NEW SUBSECTION. 6. Notwithstanding subsections 2 and 3, a  
33 guardian may make a decision for a protected person pursuant to  
34 sections 135J.3A, 144A.7, and 144A.7B without court approval.

35 Sec. 18. Section 633.669, subsection 1, paragraph b, Code

1 2026, is amended by adding the following new subparagraphs:

2 NEW SUBPARAGRAPH. (11) The protected person's wishes  
3 related to withholding or withdrawal of life-sustaining  
4 procedures pursuant to chapter 144A or 144D.

5 NEW SUBPARAGRAPH. (12) The protected person's wishes  
6 related to placement in a hospice program in the event of a  
7 terminal condition.

8 Sec. 19. Section 633.669, subsection 1, paragraph c, Code  
9 2026, is amended by adding the following new subparagraphs:

10 NEW SUBPARAGRAPH. (9) The protected person's wishes  
11 related to withholding or withdrawal of life-sustaining  
12 procedures pursuant to chapter 144A or 144D.

13 NEW SUBPARAGRAPH. (10) The protected person's wishes  
14 related to placement in a hospice program in the event of a  
15 terminal condition.>

16 2. Title page, line 3, by striking <and>

17 3. Title page, line 4, by striking <care> and inserting  
18 <care, and probate court guardianship reports>