

House File 2305

S-5122

- 1 Amend House File 2305, as amended, passed, and reprinted by
2 the House, as follows:
- 3 1. Page 1, by striking lines 9 through 23.
 - 4 2. Page 1, line 24, by striking <2. 4.> and inserting <2.>
 - 5 3. Page 1, line 31, by striking <3. 5.> and inserting <3.>
 - 6 4. By striking page 1, line 33, through page 2, line 2.
 - 7 5. Page 2, line 3, by striking <4. 7.> and inserting <4.>
 - 8 6. Page 2, by striking lines 8 through 10 and inserting
9 <received admission into the a hospice program. If the patient
10 is unable to request admission, a family member the patient's
11 attorney in fact as defined in section 144B.1, or the patient's
12 guardian appointed pursuant to chapter 633, or the majority
13 of the guardians if the patient has more than one guardian
14 appointed with equal responsibilities, may voluntarily request
15 and receive admission on the patient's behalf.>
 - 16 7. Page 2, line 11, by striking <5. 8.> and inserting <5.>
 - 17 8. Page 2, line 17, by striking <6. 9.> and inserting <6.>
 - 18 9. Page 2, line 29, by striking <7. 10.> and inserting <7.>
 - 19 10. Page 3, line 8, by striking <8. 11.> and inserting <8.>
 - 20 11. Page 3, line 23, by striking <12.> and inserting <9.>
 - 21 12. Page 3, line 27, by striking <13.> and inserting <10.>
 - 22 13. Page 3, line 29, by striking <14.> and inserting <11.>
 - 23 14. Page 3, line 31, by striking <15.> and inserting <12.>
 - 24 15. Page 4, line 24, by striking <A> and inserting <1. If a
25 patient does not have an attorney in fact as defined in section
26 144B.1, or a guardian appointed pursuant to chapter 633, a>
 - 27 16. By striking page 4, line 28, through page 5, line 23,
28 and inserting: <a hospice program by an individual, in the
29 same order of priority prescribed in section 144A.7, subsection
30 1, who shall be guided by the express or implied intentions
31 of the patient and who is reasonably available, willing, and
32 competent to make the decision.
 - 33 2. This section shall not apply to a guardian appointed
34 under chapter 232D.>
 - 35 17. Page 6, by striking lines 4 and 5 and inserting <patient

1 "Attorney in fact" means an individual who is designated by a
2 durable power of attorney for health care as an agent to make
3 health care decisions on behalf of a patient and has consented
4 to act in that capacity.>

5 18. Page 6, by striking lines 6 and 7 and inserting:

6 <5. "Close adult friend" means a friend of a patient to whom
7 all of the following apply:

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

9 b. The individual has shown special care and concern for the
10 patient.

11 c. The individual maintains regular contact with the patient
12 and is familiar with the patient's health, activities, and
13 beliefs.

14 d. The individual has provided an affidavit to the
15 patient's attending provider that states that the individual is
16 willing and able to be involved in the patient's care.>

17 19. Page 6, by striking lines 12 and 13 and inserting:

18 <8. "Durable power of attorney for health care" means a
19 document authorizing an attorney in fact to make health care
20 decisions for a patient if the patient is unable, in the
21 judgment of the patient's attending provider, to make health
22 care decisions.>

23 20. Page 9, by striking lines 25 through 30 and inserting

24 <or advanced registered nurse practitioner, and the patient's
25 attorney in fact as defined in section 144B.1, or the patient's
26 guardian appointed pursuant to chapter 633. If the patient has
27 more than one guardian with equal responsibilities appointed,
28 the decision agreed to by a majority of the guardians. If
29 a majority consensus is not achieved by the guardians, a
30 court order shall be required. If a patient does not have an
31 attorney in fact as defined in section 144B.1, or a guardian
32 appointed pursuant to chapter 633, the decision may be made
33 by any of the following individuals, who shall be guided by
34 the express or implied intentions of the patient, in the
35 following order of priority if no individual in a ~~prior class~~

1 the previous priority is reasonably available, willing, and
2 competent to ~~aet~~ make the decision.>

3 21. By striking page 9, line 31, through page 10, line 7.

4 22. Page 10, line 8, by striking <c.> and inserting <a.>

5 23. Page 10, line 9, by striking <d.> and inserting <b.>

6 24. Page 10, line 13, by striking <e.> and inserting <c.>

7 25. Page 10, line 17, by striking <f.> and inserting <d.>

8 26. Page 10, line 21, by striking <g.> and inserting <e.>

9 27. Page 10, line 26, by striking <h.> and inserting <f.>

10 28. Page 11, line 21, by striking <illness> and inserting
11 <condition>

12 29. By striking page 11, line 27, through page 12, line
13 22, and inserting <assistant, or advanced registered nurse
14 practitioner, and the patient's attorney in fact as defined in
15 section 144B.1, or the patient's guardian appointed pursuant
16 to chapter 633. If the patient has more than one guardian
17 appointed with equal responsibilities, the decision agreed to
18 by a majority of the guardians. If a majority consensus is not
19 achieved by the guardians, a court order shall be required. If
20 a patient does not have an attorney in fact or a guardian, the
21 decision may be made by an individual, in the same order of
22 priority prescribed in section 144A.7, subsection 1, who shall
23 be guided by the express or implied intentions of the patient
24 and who is reasonably available, willing, and competent to make
25 the decision.>

26 30. Page 12, before line 27 by inserting:

27 <3. This section shall only apply to a patient located
28 in a health care facility as that term is defined in section
29 135C.1, or a health facility as that term is defined in section
30 135P.1.>

31 31. Page 15, after line 14 by inserting:

32 <Sec. _____. Section 633.669, subsection 1, paragraph b, Code
33 2026, is amended by adding the following new subparagraphs:

34 NEW SUBPARAGRAPH. (11) The protected person's wishes
35 related to withholding or withdrawal of life-sustaining

1 procedures pursuant to chapter 144A or 144D.

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

5 Sec. _____. Section 633.669, subsection 1, paragraph c, Code
6 2026, is amended by adding the following new subparagraphs:

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

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

13 32. Title page, by striking lines 3 through 4 and inserting
14 <out-of-hospital do-not-resuscitate orders, durable powers
15 of attorney for healthcare, and probate court guardianship
16 reports.>

17 33. By renumbering, redesignating, and correcting internal
18 references as necessary.

COMMITTEE ON HEALTH AND HUMAN SERVICES
KARA WARME, CHAIRPERSON