

Rep. Mason 3/11/87

House File 360

JUDICIARY: Varn, Chair; Gentleman and Coleman

FEB 26 1987

D. Bacon 4/1 (p. 1034)

Place On Calendar

HOUSE FILE 360

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(Formerly House Study Bill 40)

Passed House, Date 3-6-87 (p. 542) Passed Senate, Date 4-14-87 (p. 1274)

Vote: Ayes 95 Nays 0 Vote: Ayes 47 Nays 1

Approved May 9, 1987 (p. 2006)

A BILL FOR

1 An Act relating to the decisions of guardians regarding life-
2 sustaining procedures.

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

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HF 360

1 Section 1. Section 144A.7, subsection 1, paragraph b, Code
2 1987, is amended to read as follows:

3 b. The guardian of the person of the patient if one has
4 been appointed, provided court approval is obtained in
5 accordance with section 633.635, subsection 2, paragraph "c".
6 This paragraph does not require the appointment of a guardian
7 in order for a treatment decision to be made under this
8 section.

9 Sec. 2. Section 633.635, subsection 2, Code 1987, is
10 amended by adding the following new paragraph:

11 NEW PARAGRAPH. c. Consent to the withholding or
12 withdrawal of life-sustaining procedures in accordance with
13 chapter 144A.

14 EXPLANATION

15 This bill provides that court approval is required prior to
16 a guardian's consent to the withholding or withdrawal of life-
17 sustaining procedures.

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HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
JUDICIARY AND LAW EN-
FORCEMENT BILL)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the decisions of guardians regarding life-
2 sustaining procedures.

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

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SUB COMMITTEE ASSIGNMENTS
CHAIR: McKinney
COMMITTEE: Judiciary
1-19-87

1 Section 1. Section 144A.7, subsection 1, paragraph b, Code
2 1987, is amended by striking the paragraph and relettering the
3 following paragraphs as necessary.

4 Sec. 2. Section 144A.7, subsection 1, Code 1987, is
5 amended by adding the following new paragraph:

6 NEW PARAGRAPH. f. The guardian of the person of the
7 patient if one has been appointed provided court approval is
8 obtained in accordance with section 633.635, subsection 2,
9 paragraph "c". This paragraph does not require the
10 appointment of a guardian in order for a treatment decision to
11 be made under this section.

12 Sec. 3. Section 633.635, subsection 2, Code 1987, is
13 amended by adding the following new paragraph:

14 NEW PARAGRAPH. c. Consent to the withholding or
15 withdrawal of life-sustaining procedures in accordance with
16 chapter 144A.

17 EXPLANATION

18 This bill modifies the priority of the persons who can make
19 the decision regarding life-sustaining procedures when no
20 declaration has been made by the patient. The bill also
21 provides that court approval is required prior to a guardian's
22 consent to the withholding or withdrawal of life-sustaining
23 procedures.

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NEW PARAGRAPH. c. Consent to the withholding or withdrawal of life-sustaining procedures in accordance with chapter 144A.

HOUSE FILE 360

AN ACT
RELATING TO THE DECISIONS OF GUARDIANS REGARDING LIFE-SUSTAINING PROCEDURES.

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

Section 1. Section 144A.7, subsection 1, paragraph b, Code 1987, is amended to read as follows:

b. The guardian of the person of the patient if one has been appointed, provided court approval is obtained in accordance with section 633.635, subsection 2, paragraph "c". This paragraph does not require the appointment of a guardian in order for a treatment decision to be made under this section.

Sec. 2. Section 633.635, subsection 2, Code 1987, is amended by adding the following new paragraph:

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 360, Seventy-second General Assembly.

Approved May 4, 1987

JOSEPH O'HERN
Chief Clerk of the House

TERRY E. BRANSTAD
Governor

HF 360