

House File 2577 - Introduced

HOUSE FILE 2577
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 660)

A BILL FOR

1 An Act relating to end-of-life care under guardianships of
2 adults.

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

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

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

7 (1) The ability to enter into hospice and palliative care.

8 (2) The power to execute, reaffirm, and revoke a
9 do-not-resuscitate or do-not-intubate order, or to enter the
10 protected person into hospice care, but only if all of the
11 following conditions are met:

12 (a) The guardian consulted with the protected person
13 about any proposed change not more than fourteen days before
14 executing the change and the protected person was in a
15 condition to engage in meaningful conversation about the
16 proposed change. If a meaningful conversation with the
17 protected person is not possible, the guardian may consult with
18 family members or significant others of the protected person
19 about any proposed change not more than fourteen days before
20 executing the change.

21 (b) The guardian consulted directly with the protected
22 person's attending physician regarding the specific medical
23 indications that warrant the change.

24 (3) Except in cases in which the diagnosis is a terminal
25 illness with a life expectancy of six months or less, this
26 subsection shall not be construed to authorize a guardian to
27 withdraw life-sustaining procedures or authorize any medicine
28 or procedure that terminates the protected person's life
29 without first obtaining a court order authorizing such action.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with
32 the explanation's substance by the members of the general assembly.

33 This bill relates to end-of-life care decisions under
34 guardianships of adults.

35 Under current law, a court may grant a guardian the

1 ability to make decisions regarding the care, maintenance,
2 health, education, welfare, and safety of the protected
3 person except as otherwise limited by the court, which
4 the guardian may exercise thereafter without prior court
5 approval. The bill provides that this includes end-of-life
6 care decisions (hospice, palliative care, and life-sustaining
7 interventions, and the power to execute, reaffirm, or revoke a
8 do-not-resuscitate or do-not-intubate order). A guardian is
9 only able to make an end-of-life care decision if the guardian
10 has consulted with the protected person not more than 14 days
11 before executing the end-of-life care decision and consulted
12 with the protected person's attending physician. However,
13 if the protected person is not able to have a meaningful
14 conversation about end-of-life care decisions, a guardian may
15 instead consult with family members and other significant
16 others of the protected person not more than 14 days before
17 executing the end-of-life decision. The bill provides that
18 except for cases in which the protected person's diagnosis is a
19 terminal illness with life expectancy of six months or less, a
20 guardian may not authorize the withdrawal of life-sustaining
21 procedures or authorize any medicine or procedure that
22 terminates the protected person's life without first obtaining
23 a court order authorizing such action.