

CHAPTER 1009**DURABLE POWER OF ATTORNEY FOR HEALTH CARE — AUTHORITY OF ATTORNEY
IN FACT***S.F. 2198*

AN ACT relating to the authority of an attorney in fact under a durable power of attorney for health care.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 144B.6, subsection 2, Code 2026, is amended to read as follows:

2. In exercising the authority under the durable power of attorney for health care, the attorney in fact has a duty to act in accordance with the desires of the principal as expressed in the durable power of attorney for health care, a declaration executed by the principal pursuant to section 144A.3, or otherwise made known to the attorney in fact at any time. A declaration executed by the principal pursuant to the life-sustaining procedures Act, chapter 144A, shall not be interpreted as expressing an intent to prohibit the withdrawal of hydration or nutrition when required to be provided parenterally or through intubation and shall not otherwise restrict the The authority of the attorney in fact shall not be restricted by the desires of the principal as expressed verbally to a person other than the attorney in fact or in any other document unless either the declaration or, in a separate section of the durable power of attorney for health care, the principal expressly provides otherwise states that the durable power of attorney for health care is limited and includes the limitations on the authority of the attorney in fact. If the principal's desires are unknown, the attorney in fact has a duty to act in the best interests of the principal, taking into account the principal's overall medical condition and prognosis.

Approved April 9, 2026