

Regular Session, 2012

HOUSE BILL NO. 1086

BY REPRESENTATIVES SEABAUGH, ANDERS, BARROW, BURFORD, COX,
FRANKLIN, HARRIS, HAVARD, HENSGENS, KATRINA JACKSON, LEBAS,
POPE, SIMON, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT

HEALTH/DEATH-DYING: Provides for general application of laws relative to medical
consent and declarations concerning life-sustaining procedures

1 AN ACT

2 To amend and reenact R.S. 40:1299.55 and 1299.58.10(A), relative to consent to medical
3 treatment and procedures; to provide for general application of laws providing for
4 medical consent and declarations concerning life-sustaining procedures; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1299.55 and 1299.58.10(A) are hereby amended and reenacted
8 to read as follows:

9 §1299.55. Construction of part; general application

10 A. The provisions of this Part shall be liberally construed, and all
11 relationships set forth herein shall include the marital, adoptive, foster and step-
12 relations as well as the natural whole blood. A consent by one person so authorized
13 and empowered shall be sufficient. Any person acting in good faith shall be justified
14 in relying on the representations of any person purporting to give such a consent,
15 including, but not limited to, his identity, his age, his marital status, his
16 emancipation, and his relationship to any other person for whom the consent is
17 purportedly given.

18 B. Nothing in this Part shall be construed to condone, authorize, or approve
19 assistance to suicide, mercy killing, or euthanasia.

20 * * *

1 §1299.58.10. General application

2 A. Nothing in this Part shall be construed to condone, authorize, or approve
3 assistance to suicide, mercy killing, or euthanasia; or to permit any affirmative or
4 deliberate act or omission to end life other than to permit the natural process of
5 dying.

6 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Seabaugh

HB No. 1086

Abstract: Provides for general application of laws relative to medical consent and declarations concerning life-sustaining procedures.

Present law provides for construction of present law concerning medical consent (R.S. 40:1299.50 et seq.).

Proposed law adds provision to present law concerning general application which provides that nothing in present law relative to medical consent shall be construed to condone, authorize, or approve assistance to suicide, mercy killing, or euthanasia.

Present law provides that nothing in present law relative to declarations concerning life-sustaining procedures (R.S. 40:1299.58.1 et seq.) shall be construed to condone, authorize, or approve mercy killing or euthanasia.

Proposed law adds provision that nothing in present law relative to declarations concerning life-sustaining procedures shall be construed to condone, authorize, or approve assistance to suicide.

(Amends R.S. 40:1299.55 and 1299.58.10(A))