

Senate Bill 305

By: Senator Unterman of the 45th

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to health, so as to require the department to provide  
3 certain notification prior to modification of the Physician Orders for Life-Sustaining  
4 Treatment form; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to  
9 general provisions relative to health, is amended in Code Section 31-1-14, relating to  
10 Physician Orders for Life-Sustaining Treatment (POLST) forms, by revising subsection (b)  
11 as follows:

12 "(b) The department shall develop and make available a Physician Orders for  
13 Life-Sustaining Treatment form. On and after July 1, 2016, the department shall notify the  
14 chairpersons and each member of the House Committee on Health and Human Services  
15 and the Senate Health and Human Services Committee at least 60 days prior to  
16 implementing any modification of the POLST form. Such form shall provide directions  
17 regarding the patient's end of life care and may be voluntarily executed by either a patient  
18 who has decision-making capacity and an attending physician or, if the patient does not  
19 have decision-making capacity, by the patient's authorized person and an attending  
20 physician; provided, however, that this shall not prevent a health care facility from  
21 imposing additional administrative or procedural requirements regarding a patient's end of  
22 life care decisions. A POLST form may be executed when a patient has a serious illness  
23 or condition and the attending physician's reasoned judgment is that the patient will die  
24 within the next 365 days; provided, however, that a POLST form may be executed at any  
25 time if a person has been diagnosed with dementia or another progressive, degenerative  
26 disease or condition that attacks the brain and results in impaired memory, thinking, and

27 behavior. A POLST form, if signed by an authorized person, shall indicate the relationship  
28 of the authorized person to the patient pursuant to paragraph (3) of Code Section 31-39-2."

29 **SECTION 2.**

30 All laws and parts of laws in conflict with this Act are repealed.