

HOUSE No. 1456

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to health care proxies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Viriato Manuel deMacedo	1st Plymouth
Bradley H. Jones, Jr.	20th Middlesex
George N. Peterson, Jr.	9th Worcester
Elizabeth Poirier	14th Bristol
Paul K. Frost	7th Worcester
Susan Williams Gifford	2nd Plymouth
Bradford R. Hill	4th Essex
Richard J. Ross	9th Norfolk
Todd M. Smola	1st Hampden
Robert S. Hargraves	1st Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1510 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO HEALTH CARE PROXIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 4 of chapter 201D, as appearing in the 2006 Official Edition, is hereby
2 amended by inserting, in line 6, after the word “authority”, the following:— including but not
3 limited to any express direction the principal wishes to impose upon the agent

4 SECTION 2. Section 5 of said chapter 201D, as so appearing, is hereby amended by striking the
5 sentence, in lines 1 through 4, inclusive, “An agent shall have the authority to make any and all
6 health care decisions on the principal's behalf that the principal could make, including decisions
7 about life-sustaining treatment, subject, however, to any express limitations in the health care
8 proxy.” and inserting in place thereof the following sentence:-

9 An agent shall have the authority to make any and all health care decisions on the principal's
10 behalf that the principal could make, including decisions about life-sustaining treatment, subject,
11 however, to any express limitations or directives in the health care proxy, which shall be binding
12 upon the agent.