

**HOUSE . . . . . No. 1707**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Sally P. Kerans***

*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 adoption of the accompanying bill:

An Act relative to activating the health care proxy.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>2/17/2021</i>

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By Ms. Kerans of Danvers, a petition (accompanied by bill, House, No. 1707) of Sally P. Kerans relative to activating health care proxies. The Judiciary.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act relative to activating the health care proxy.

*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

2           Section 6 of Chapter 201D as appearing in the 2016 General Laws is hereby amended by  
3 adding the following subsection:

4           (b) “In determining whether a patient is competent for the purposes of activating their  
5 health care proxy, a physician shall evaluate the patient’s competency for their treatment.”

6           Section 2

7           The Department of Public Health shall promulgate regulations pursuant to subsection b.