

1 S.26

2 Introduced by Senator Lyons

3 Referred to Committee on

4 Date:

5 Subject: Health; patient choice at end of life; residency

6 Statement of purpose of bill as introduced: This bill proposes to eliminate the
7 requirement that a patient who is terminally ill must be a Vermont resident in
8 order to be prescribed medication in accordance with Vermont's patient choice
9 at end of life laws.

10 An act relating to removing the residency requirement from Vermont's
11 patient choice at end of life laws

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 18 V.S.A. § 5281 is amended to read:

14 § 5281. DEFINITIONS

15 As used in this chapter:

16 * * *

17 (8) "Patient" means a person who is 18 years of age or older, ~~a resident~~
18 ~~of Vermont~~, and under the care of a physician.

19 * * *

1 Sec. 2. 18 V.S.A. § 5283 is amended to read:

2 § 5283. REQUIREMENTS FOR PRESCRIPTION AND
3 DOCUMENTATION; IMMUNITY

4 (a) A physician shall not be subject to any civil or criminal liability or
5 professional disciplinary action if the physician prescribes to a patient with a
6 terminal condition medication to be self-administered for the purpose of
7 hastening the patient's death and the physician affirms by documenting in the
8 patient's medical record that all of the following occurred:

9 * * *

10 (5) The physician determined that the patient:

11 (A) was suffering a terminal condition, based on the physician's
12 review of the patient's relevant medical records and a physician's physical
13 examination of the patient;

14 (B) was capable;

15 (C) was making an informed decision; and

16 (D) had made a voluntary request for medication to hasten the
17 patient's own death; ~~and~~

18 ~~(E) was a Vermont resident.~~

19 * * *

20 Sec. 3. EFFECTIVE DATE

21 This act shall take effect on passage.