

House Bill 1435

By: Representative Lindsey of the 54th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 9 of Title 31 of the Official Code of Georgia Annotated, relating to
2 consent for surgical or medical treatment, so as to provide for the nourishment or hydration
3 of a person receiving health care; to provide for related matters; to provide for an effective
4 date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 9 of Title 31 of the Official Code of Georgia Annotated, relating to consent for
8 surgical or medical treatment, is amended by adding a new Code section to read as follows:

9 "31-9-8.

10 (a) For the purposes of this Code section:

11 (1) 'Attending physician' shall have the same meaning as provided for in Code Section
12 31-32-2.

13 (2) 'Authorized person' shall have the same meaning as provided for in Code Section
14 31-32-2.

15 (3) 'Health care' shall have the same meaning as provided for in Code Section 31-32-2.

16 (4) 'Nourishment or hydration' means any form of caloric energy or fluids that the human
17 body may draw upon to promote its normal chemical balance and system function.

18 (b) Notwithstanding an attending physician's determination that a patient is a candidate for
19 withholding life-sustaining procedures as provided pursuant to Chapter 32 of Title 31, no
20 person receiving health care shall be deprived of nourishment or hydration except:

21 (1) To improve the patient's medical condition; or

22 (2) The patient has a medical condition which can be reasonably expected to result in the
23 imminent death of the patient, and the continued nourishment or hydration will only
24 prolong the patient's pain and suffering, and the patient or his or her authorized person
25 consents to such action."

26 **SECTION 2.**

27 This Act shall become effective upon its approval by the Governor or upon its becoming law
28 without such approval.

29 **SECTION 3.**

30 All laws and parts of laws in conflict with this Act are repealed.