

House Bill 69 (RULES COMMITTEE SUBSTITUTE)

By: Representatives Jerguson of the 22nd, Cooper of the 41st, Channell of the 116th, Mitchell of the 88th, and Kaiser of the 59th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 31-39-4 of the Official Code of Georgia Annotated, relating to
2 persons authorized to issue an order not to resuscitate, so as to clarify provisions relating to
3 a candidate for nonresuscitation and authorization for an order not to resuscitate and to
4 remove statutory ambiguity; to provide for related matters; to repeal conflicting laws; and
5 for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 31-39-4 of the Official Code of Georgia Annotated, relating to persons
9 authorized to issue an order not to resuscitate, is amended by revising subsection (a) as
10 follows:

11 "(a) Where consent by an authorized person has been given pursuant to subsection (b), (c),
12 or (d) of this Code section, the attending physician may issue an order not to resuscitate
13 a candidate for nonresuscitation pursuant to the requirements of this chapter without the
14 concurrence of another physician, notwithstanding the provisions of paragraph (4) of Code
15 Section 31-39-2. Where two or more physicians concur pursuant to subsection (e) of this
16 Code section, It shall be lawful for the attending physician to may issue an order not to
17 resuscitate a candidate for nonresuscitation pursuant to the requirements of this chapter.
18 Any written order issued by the attending physician using the term 'do not resuscitate,'
19 'DNR,' 'order not to resuscitate,' 'no code,' or substantially similar language in the patient's
20 chart shall constitute a legally sufficient order and shall authorize a physician, health care
21 professional, or emergency medical technician to withhold or withdraw cardiopulmonary
22 resuscitation. Such an order shall remain effective, whether or not the patient is receiving
23 treatment from or is a resident of a health care facility, until the order is canceled as
24 provided in Code Section 31-39-5 or until consent for such order is revoked as provided
25 in Code Section 31-39-6, whichever occurs earlier. An attending physician who has issued

26 such an order and who transfers care of the patient to another physician shall inform the
27 receiving physician and the health care facility, if applicable, of the order.”

28 **SECTION 2.**

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