

House Bill 69 (AS PASSED HOUSE AND SENATE)

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 provide for an attending
3 physician to issue an order not to resuscitate a candidate for nonresuscitation without
4 concurrence by another physician under certain conditions; to provide for related matters; to
5 repeal conflicting laws; and 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 (c) as
10 follows:

11 "(c) The appropriate authorized person may, after being informed of the provisions of this
12 Code section, consent orally or in writing to an order not to resuscitate for an adult
13 candidate for nonresuscitation; provided, however, that such consent is based in good faith
14 upon what such authorized person determines such candidate for nonresuscitation would
15 have wanted had such candidate for nonresuscitation understood the circumstances under
16 which such order is being considered. Where such authorized person is an agent under a
17 durable power of attorney for health care or health care agent under an advance directive
18 for health care appointed pursuant to Chapter 32 of this title, the attending physician may
19 issue an order not to resuscitate a candidate for nonresuscitation pursuant to the
20 requirements of this chapter without the concurrence of another physician, notwithstanding
21 the provisions of paragraph (4) of Code Section 31-39-2."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.