

Senate Bill 305

By: Senator Unterman of the 45th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to health, so as to require the department to provide
3 certain notification prior to modification of the Physician Orders for Life-Sustaining
4 Treatment form; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to
9 general provisions relative to health, is amended in Code Section 31-1-14, relating to
10 Physician Orders for Life-Sustaining Treatment (POLST) forms, by revising subsection (b)
11 as follows:

12 "(b) The department shall develop and make available a Physician Orders for
13 Life-Sustaining Treatment form. On and after July 1, 2016, the department shall notify the
14 chairpersons and each member of the House Committee on Health and Human Services
15 and the Senate Health and Human Services Committee at least 60 days prior to
16 implementing any modification of the POLST form. Such form shall provide directions
17 regarding the patient's end of life care and may be voluntarily executed by either a patient
18 who has decision-making capacity and an attending physician or, if the patient does not
19 have decision-making capacity, by the patient's authorized person and an attending
20 physician; provided, however, that this shall not prevent a health care facility from
21 imposing additional administrative or procedural requirements regarding a patient's end of
22 life care decisions. A POLST form may be executed when a patient has a serious illness
23 or condition and the attending physician's reasoned judgment is that the patient will die
24 within the next 365 days; provided, however, that a POLST form may be executed at any
25 time if a person has been diagnosed with dementia or another progressive, degenerative
26 disease or condition that attacks the brain and results in impaired memory, thinking, and

27 behavior. A POLST form, if signed by an authorized person, shall indicate the relationship
28 of the authorized person to the patient pursuant to paragraph (3) of Code Section 31-39-2."

29 **SECTION 2.**

30 All laws and parts of laws in conflict with this Act are repealed.