

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

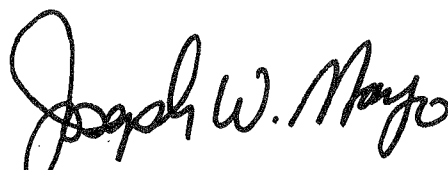
No. 76

H.P. 51

House of Representatives, January 9, 1997

An Act to Amend the Uniform Health Care Decisions Law.

Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative CARLETON of Wells.

Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 18-A MRSA §5-805, sub-§(a), as enacted by PL 1995, c.
4 378, Pt. A, §1, is repealed and the following enacted in its
6 place:

8 (a) A surrogate may make a health-care decision for a
10 patient who is an adult or emancipated minor if the patient has
12 been determined by the primary physician to lack capacity and no
14 agent or guardian has been appointed or the agent or guardian is
16 not reasonably available.

SUMMARY

16 This bill gives a surrogate the authority to make a
18 health-care decision for a patient if the patient has been
determined by the primary physician to lack the capacity and no
agent or guardian has been appointed.