

SFA

BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

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Senate Bill 664

Sponsor: Senator John J. H. Schwarz, M.D.

Committee: Health Policy

JUN 28 1990

Date Completed: 5-22-90

SUMMARY OF SENATE BILL 664 as introduced 11-1-89:

The bill would create the "Michigan Do-Not-Resuscitate Procedure Act" to establish procedures for the execution of a "do-not-resuscitate order", and to:

- Permit a person who had been diagnosed as "terminally ill" to execute a do-not-resuscitate order.
- Prescribe information to be contained in such an order, such as signatures of the patient, attending physician, and witness, and prohibit certain persons, such as a patient's spouse, from being a witness.
- Prohibit a witness from signing an order unless the patient appeared to be of sound mind and under no duress.
- Require a physician who signed an order to make it part of the patient's medical record, and require a review of the order every six months.
- Require a patient who executed an order to possess the order and have it accessible in his or her residence.
- Require an attending physician to apply a "do-not-resuscitate identification bracelet" on a patient at the time an order was signed and dated.
- Permit a person to petition the probate court for review of an order, if it were suspected that the order was executed against the patient's wishes.
- Provide for the revocation of an order.
- Prohibit certain emergency medical personnel from resuscitating a patient if a patient were wearing a do-not-resuscitate identification bracelet.
- Exempt a person from civil or criminal liability for withholding medical treatment in accordance with the bill.
- Prohibit requiring an order as a condition for insurance coverage, admittance into a health facility, or other reasons.
- Prohibit a life insurer from taking certain actions because of the execution of an order.
- Specify that the bill could not be construed to impair any legal right a person may have to consent to or refuse medical treatment.

The bill is tie-barred to House Bill 4952, which would amend the Public Health Code to provide for the regulation of emergency medical services.

Do-Not-Resuscitate Order

A person who was 18 years of age or older and of sound mind, and who had been diagnosed to be terminally ill could execute a do-not-resuscitate order. ("Do-not-resuscitate order" would mean a document executed pursuant to the bill that directed that in the event that a patient suffered cessation of both spontaneous respiration and circulation, no resuscitation would be initiated. "Terminally

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