

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Date:

(Filing No. H-)

JUDICIARY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1108, L.D. 1607, Bill, “An Act To Prioritize Family Members as Surrogates for Medical Decisions”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 18-A MRSA §5-805, sub-§(b), as amended by PL 1999, c. 411, §3, is further amended to read:

(b). Any member of the following classes of the patient's family who is reasonably available, in descending order of priority, may act as surrogate:

- (1). The spouse, unless legally separated;
- ~~(1-A). An adult who shares an emotional, physical and financial relationship with the patient similar to that of a spouse;~~
- (2). An adult child;
- (3). A parent;
- (3-A). An adult who shares an emotional, physical and financial relationship with the patient similar to that of a spouse;
- (4). An adult brother or sister;
- (5). An adult grandchild;
- (6). An adult niece or nephew, related by blood or adoption;
- (7). An adult aunt or uncle, related by blood or adoption; or
- (8). Another adult relative of the patient, related by blood or adoption, who is familiar with the patient's personal values and is reasonably available for consultation.'

COMMITTEE AMENDMENT

1
2
3
4
5
6

SUMMARY

This amendment is the minority report of the Joint Standing Committee on Judiciary. It replaces the bill to give a patient's adult child and parent higher priority than a nonspousal partner to serve as a surrogate decision maker for medical decisions when the patient is unable to make or communicate decisions. The bill also allows an adult sibling a higher priority than a nonspousal partner.