

By: Parker

H.B. No. 1440

A BILL TO BE ENTITLED

1 AN ACT

2 relating to transfer of certain patients requesting
3 life-sustaining treatment.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 166.046(d), Health and Safety Code, is
6 amended to read as follows:

7 (d) If the attending physician, the patient, or the person
8 responsible for the health care decisions of the individual does
9 not agree with the decision reached during the review process under
10 Subsection (b), the physician shall make a reasonable effort to
11 transfer the patient to a physician who is willing to comply with
12 the directive. To facilitate the transfer, the attending physician
13 may discuss facts contained in the patient's medical record with
14 another physician or a health care facility, but the physician may
15 not state the physician's opinion that life-sustaining treatment is
16 inappropriate. If the patient is a patient in a health care
17 facility, the facility's personnel shall assist the physician in
18 arranging the patient's transfer to:

19 (1) another physician;

20 (2) an alternative care setting within that facility;

21 or

22 (3) another facility.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2007.