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HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Amend S.B. No. 200 (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION _____. Subchapter B, Chapter 166, Health and Safety Code, is amended by adding Section 166.0455 to read as follows:

Sec. 166.0455. LIMITATION ON REFUSAL TO EFFECTUATE CERTAIN ADVANCE DIRECTIVES OR TREATMENT DECISIONS. The executive commissioner shall develop and implement rules that prohibit a health care facility or an ethics or medical committee of a health care facility from overriding or refusing to honor and comply with a patient's advance directive or a health care or treatment decision made by or on behalf of a patient that directs the provision of life-sustaining treatment and from considering life-sustaining treatment to be inappropriate treatment under Section 166.046 based on:

(1) the lesser value the facility or committee places on sustaining the life of an elderly, disabled, or terminally ill patient compared to the value of sustaining the life of a patient who is younger, not disabled, or not terminally ill; or

(2) a disagreement between the facility or committee and the patient, or the person authorized to make a treatment decision for the patient under Section 166.039, over the greater weight the patient or person places on sustaining the patient's life than the risk of disability.