

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 3017

By: Calvey of the House
and
Sykes of the Senate

7 An Act relating to healthcare; creating the Physician
8 Orders for Life-Sustaining Treatment Act;***form;
9 providing immunity from certain liability; providing
10 liability for certain persons; permitting court
11 enjoinder under***and publish certain format;
12 providing for codification; providing for
13 noncodification; and providing an effective date.

14 AUTHOR: Add the following Senate Coauthor: Crain

15 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
16 entire bill and insert

17 "An Act relating to healthcare; creating the
18 Physician Orders for Life-Sustaining Treatment Act;
19 providing short title; providing definitions;
20 directing Office of the Attorney General to establish
21 format for certain form; requiring certain orders to
22 conform to certain requirements; requiring certain
23 information to be provided to patient or patient
24 representative; requiring physicians to discuss
certain treatments under certain circumstances;
prohibiting validity of certain forms under certain
circumstances; prescribing contents, phrasing and
format of certain form; providing immunity from
certain liability; providing liability for certain
persons; permitting court enjoinder under certain
circumstances; requiring certain orders under certain
circumstances; amending 58 O.S. 2011, Section 1072.1,

1 which relates to durable powers of attorney;
2 providing certain exception; clarifying language;
3 directing Office of the Attorney General to establish
4 and publish certain format; directing Office of the
5 Attorney General to develop certain presentation;
6 providing certain means of verification; requiring
7 certain presentations be posted online; specifying
8 contents of presentation; requiring certain entities
9 to verify certain compliance; specifying guidelines
10 for compliance; providing effective dates for certain
11 provisions; providing for noncodification; providing
12 for codification; and providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 3105.1 of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 This act shall be known and may be cited as the "Physician
18 Orders for Life-Sustaining Treatment Act".

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 3105.2 of Title 63, unless there
21 is created a duplication in numbering, reads as follows:

22 As used in the Physician Orders for Life-Sustaining Treatment
23 Act:

24 1. "Attorney-in-fact" means an attorney-in-fact authorized to
act pursuant to the Uniform Durable Power of Attorney Act, Sections
1071 through 1077 of Title 58 of the Oklahoma Statutes, with
authority to act regarding the patient's health and medical care
decisions, subject to the limitations under paragraph 1 of
subsection B of Section 1072.1 of Title 58 of the Oklahoma Statutes;

1 2. "Guardian" means a general guardian of the person appointed
2 pursuant to subsection A of Section 3-112 of Title 30 of the
3 Oklahoma Statutes or a limited guardian of the person appointed
4 pursuant to subsection B of Section 3-112 of Title 30 of the
5 Oklahoma Statutes with the authority to make personal medical
6 decisions as determined under paragraph 5 of subsection B of Section
7 3-113 of Title 30 of the Oklahoma Statutes;

8 3. "Health care provider" means a person who is licensed,
9 certified or otherwise authorized by the laws of this state to
10 administer health care in the ordinary course of business or
11 practice of a profession;

12 4. "Health care proxy" means a health care proxy (or alternate
13 health care proxy) authorized to act pursuant to the Oklahoma
14 Advance Directive Act, Sections 3101.1 through 3101.16 of Title 63
15 of the Oklahoma Statutes, as defined in paragraph 6 of Section
16 3101.3 of Title 63 of the Oklahoma Statutes; and

17 5. "Other legally authorized person" means a person, other than
18 a minor's custodial parent or guardian, the patient or the patient's
19 attorney-in-fact, guardian or health care proxy, who has authority
20 to make health care decisions for the patient under common law.

21 SECTION 3. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 3105.3 of Title 63, unless there
23 is created a duplication in numbering, reads as follows:

24

1 A. The Office of the Attorney General shall establish the
2 standardized format for a form in accordance with the provisions of
3 Section 4 of this act, adhering to the directions, sequence and
4 wording in those provisions.

5 B. An Oklahoma physician orders for life-sustaining treatment
6 shall be executed, implemented, reviewed and revoked in accordance
7 with the instructions on the form required by this section. Subject
8 to subsection C of Section 8 of this act, before reviewing and
9 preparing any Oklahoma physician orders for life-sustaining
10 treatment in consultation with a patient or the patient's legally
11 authorized representative, the attending physician or health care
12 professional preparing the form shall have viewed the online
13 presentation described by Section 8 of this act at least once during
14 either the calendar month in which the order is executed or during
15 the immediately preceding twenty-three (23) months. At the
16 beginning of reviewing and preparing it in consultation with the
17 patient or the patient's legally authorized representative, the
18 attending physician or the health care professional preparing the
19 form or an agent of either shall give that person a copy of the
20 disclosure statement described in subsection A of Section 8 of this
21 act. When a patient with a valid POLST experiences a change in
22 medical condition that creates a situation in which, in reasonable
23 medical judgment, withholding specific health care rejected by the
24 POLST will cause or hasten the patient's death, if the patient is

1 then capable of making decisions affecting health care the attending
2 physician shall discuss the situation and treatment with the patient
3 and determine whether, on the basis of information sufficient for
4 informed consent, the patient still wishes the direction in the
5 POLST to control or instead wishes to receive the treatment.

6 C. A physician orders for life-sustaining treatment (POLST),
7 physician orders for scope of treatment (POST), medical orders for
8 life-sustaining treatment (MOLST), medical orders for scope of
9 treatment (MOST), transportable physician orders for patient
10 preferences (TPOPP) or similar document that does not comply with
11 the standardized format for an Oklahoma physician orders for life-
12 sustaining treatment established by regulations promulgated in
13 accordance with this section:

14 a. that was executed in this state prior to the effective
15 date of the standardized format established in
16 accordance with this section shall have no validity
17 after forty-five (45) days following that effective
18 date or after ten (10) days following the admission of
19 the patient to an Oklahoma medical care facility,
20 whichever is later; provided, that a standardized
21 format Oklahoma physician orders for life-sustaining
22 treatment executed subsequent to such document's
23 execution shall immediately supersede it, or
24

1 b. that was executed outside this state in compliance
2 with the laws of the jurisdiction of execution shall
3 have no validity after ten (10) days following the
4 admission of the patient to an Oklahoma medical care
5 facility; provided, that a standardized format
6 Oklahoma physician orders for life-sustaining
7 treatment executed subsequent to such document's
8 execution shall immediately supersede it.

9 SECTION 4. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 3105.4 of Title 63, unless there
11 is created a duplication in numbering, reads as follows:

12 1. At the top of the first page of the standardized format
13 Oklahoma physician orders for life-sustaining treatment the
14 following wording in all capitals shall appear against a contrasting
15 color background: "FORM SHALL ACCOMPANY PERSON WHEN TRANSFERRED OR
16 DISCHARGED"; at the bottom of the first page the following wording
17 in all capitals shall appear against a contrasting color background:
18 "HIPAA PERMITS DISCLOSURE TO HEALTH CARE PROFESSIONALS AND PROXY
19 DECISION MAKERS AS NECESSARY FOR TREATMENT".

20 2. There shall be an introductory section, the left block of
21 which shall contain the name "Oklahoma Physician Orders for Life-
22 Sustaining Treatment (POLST)" followed by the words, "This Physician
23 Order set is based on the patient's current medical condition and
24 wishes and is to be reviewed for potential replacement in the case

1 of a substantial change in either, as well as in other cases listed
2 under F. Any section not completed indicates full treatment for
3 that section. Photocopy or fax copy of this form is legal and
4 valid." and the right block of which shall contain lines for the
5 patient's name, the patient's date of birth and the effective date
6 of the form followed by the statement "Form must be reviewed at
7 least annually."

8 3. In Section A of the form, the left block shall contain, in
9 bold font, "A. Check One", and the right block shall be headed in
10 bold font, "Cardiopulmonary Resuscitation (CPR): Person has no
11 pulse and is not breathing." below which there shall be a checkbox
12 followed by "Attempt Resuscitation (CPR)", then a checkbox followed
13 by "Do Not Attempt Resuscitation (DNR/ no CPR)", and below which
14 shall be the words, "When not in cardiopulmonary arrest, follow
15 orders in B, C and D below."

16 4. In Section B of the form, the left block shall contain, in
17 bold, "B. Check One", and the right block shall be headed in bold
18 "Medical Interventions: Person has pulse and/or is breathing."
19 Below this there shall be a checkbox followed by, in bold, "Full
20 Treatment" followed by, "Includes the use of intubation, advanced
21 airway interventions, mechanical ventilation, defibrillation or
22 cardio version as indicated, medical treatment, intravenous fluids,
23 and cardiac monitor as indicated. Transfer to hospital if
24 indicated. Include intensive care. Includes treatment listed under

1 "Limited Interventions" and "Comfort Measures", followed by, in
2 bold, "Treatment Goal: Attempt to preserve life by all medically
3 effective means."

4 Below this there shall be a checkbox followed by, in bold,
5 "Limited Interventions" followed by, "Includes the use of medical
6 treatment, oral and intravenous medications, intravenous fluids,
7 cardiac monitoring as indicated, noninvasive bi-level positive
8 airway pressure, a bag valve mask or other advanced airway
9 interventions. Includes treatment listed under "Comfort Measures",
10 followed by "Do not use intubation or mechanical ventilation.
11 Transfer to hospital if indicated. Avoid intensive care." followed
12 by, in bold, "Treatment Goal: Attempt to preserve life by basic
13 medical treatments."

14 Below this there shall be a checkbox followed by, in bold,
15 "Comfort Measures only" followed by, "Includes keeping the patient
16 clean, warm and dry; use of medication by any route; positioning,
17 wound care and other measures to relieve pain and suffering. Use
18 oxygen, suction and manual treatment of airway obstruction as needed
19 for comfort. Transfer from current location to intermediate
20 facility only if needed and adequate to meet comfort needs and to
21 hospital only if comfort needs cannot otherwise be met in the
22 patient's current location (e.g., hip fracture; if intravenous route
23 of comfort measures is required)."

24

1 Below this there shall be, in italics, "Additional Orders:"
2 followed by an underlined space for other instructions.

3 5. In Section C of the form, the left block shall contain, in
4 bold, "C. Check One", and the right block shall be headed in bold
5 "Antibiotics".

6 Below this there shall be a checkbox followed by, in bold, "Use
7 Antibiotics to preserve life."

8 Below this there shall be a checkbox followed by, in bold,
9 "Trial period of antibiotics if and when infection occurs." After
10 this there shall be, in italics, "*Include goals below in E."

11 Below this there shall be a checkbox followed by, in bold,
12 "Initially, use antibiotics only to relieve pain and discomfort."
13 After this there shall be, in italics, "+Contact patient or
14 patient's representative for further direction."

15 Below this there shall be, in italics, "Additional Orders:"
16 followed by an underlined space for other instructions.

17 6. In Section D of the form, the left block shall contain, in
18 bold, "D. Check One in Each Column", and the right block shall be
19 headed in bold "Assisted Nutrition and Hydration", below which shall
20 be "Administer oral fluids and nutrition, if necessary by spoon
21 feeding, if physically possible." Below these the right block shall
22 be divided into three columns.

23 The leftmost column shall be headed, "TPN (Total Parenteral
24 Nutrition-provision of nutrition into blood vessels)." Below this

1 there shall be a checkbox followed by, in bold, "TPN long-term"
2 followed by "if needed". Below this there shall be a checkbox
3 followed by, in bold, "TPN for a trial period*". Below this there
4 shall be a checkbox followed by, in bold, "Initially, no TPN+".

5 The middle column shall be headed "Tube Feeding". Below this
6 there shall be a checkbox followed by, in bold, "Long-term feeding
7 tube" followed by "if needed". Below this there shall be a checkbox
8 followed by, in bold, "Feeding tube for a trial period*". Below
9 this there shall be a checkbox followed by, in bold, "Initially, no
10 feeding tube".

11 The rightmost column shall be headed, "Intravenous (IV) Fluids
12 for Hydration". Below this there shall be a checkbox followed by,
13 in bold, "Long-term IV fluids" followed by "if needed". Below this
14 there shall be a checkbox followed by, in bold, "IV fluids for a
15 trial period*". Below this there shall be a checkbox followed by,
16 in bold, "Initially, no IV fluids+".

17 Running below all the columns there shall be, in italics,
18 "Additional Orders:" followed by an underlined space for other
19 instructions, followed by, in italics, "*Include goals below in E.
20 +Contact patient or patient's representative for further direction."

21 7. In Section E of the form, the left block shall contain, in
22 bold, "E. Check all that apply" and the right block shall be
23 headed, in bold, "Patient Preferences as a Basis for this POLST
24 Form" shall include the following:

- 1 a. below the heading there shall be a box including the
2 words, in bold, "Patient Goals/Medical Condition:"
3 followed by an adequate space for such information,
- 4 b. below this there shall be a checkbox followed by, "The
5 patient has an advance directive for health care in
6 accordance with Sections 3101.4 or 3101.14 of Title 63
7 of the Oklahoma Statutes." Below that there shall be
8 a checkbox followed by, "The patient has a durable
9 power of attorney for health care decisions in
10 accordance with paragraph 1 of subsection B of Section
11 1072.1 of Title 58 of the Oklahoma Statutes." Below
12 that shall be the indented words "Date of execution"
13 followed by an underlined space. Below that shall be
14 the words, "If POLST not being executed by patient: We
15 certify that this POLST is in accordance with the
16 patient's advance directive." Below this there shall
17 be an underlined space underneath which shall be
18 positioned the words "Name and Position (print)
19 Signature" and "Signature of Physician",
- 20 c. below these shall be the words, "Directions given by:"
21 and below that a checkbox followed by "Patient", a
22 checkbox followed by "Minor's custodial parent or
23 guardian", a checkbox followed by "Attorney-in-fact",
24 a checkbox followed by "Health care proxy", and a

checkbox followed by "Other legally authorized person:" followed by an underlined space. Beneath or beside the checkbox and "Other legally authorized person:" and the underlined space shall be the words "Basis of Authority:" followed by an underlined space, and

d. below these shall be a four-column table with four rows. In the top row the first column shall be blank; the second column shall have the words, "Printed Name"; the third column shall have the word, "Signature", and the fourth column shall have the word, "Date". In the remaining rows the second through fourth columns shall be blank. In the first column of these rows, in the second row shall be the words "Attending physician"; in the third row shall be the words "Patient or other individual checked above (patient's representative)"; and in the fourth row shall be the words, "Health care professional preparing form (besides doctor)."

8. Section F of the form, which shall have the heading, in bold, "Information for Patient or Representative of Patient Named on this Form", shall include the following language, appearing in bold on the form:

1 "The POLST form is always voluntary and is usually for persons
2 with advanced illness. Before providing information for or signing
3 it, carefully read "Information for Patients and Their Families -
4 Your Medical Treatment Rights Under Oklahoma Law", which the health
5 care provider must give you. It is especially important to read the
6 sections on CPR and food and fluids, which have summaries of
7 Oklahoma laws that may control the directions you may give. POLST
8 records your wishes for medical treatment in your current state of
9 health. Once initial medical treatment is begun and the risks and
10 benefits of further therapy are clear, your treatment wishes may
11 change. Your medical care and this form can be changed to reflect
12 your new wishes at any time. However, no form can address all the
13 medical treatment decisions that may need to be made. An advance
14 health care directive is recommended, regardless of your health
15 status. An advance directive allows you to document in detail your
16 future health care instructions and/or name a health care agent to
17 speak for you if you are unable to speak for yourself.

18 The State of Oklahoma affirms that the lives of all are of equal
19 dignity regardless of age or disability and emphasizes that no one
20 should ever feel pressured to agree to forego life-preserving
21 medical treatment because of age, disability or fear of being
22 regarded as a burden.

23 If this form is for a minor for whom you are authorized to make
24 health care decisions, you may not direct denial of medical

1 treatment in a manner that would violate the child abuse and neglect
2 laws of Oklahoma. In particular, you may not direct the withholding
3 of medically indicated treatment from a disabled infant with life-
4 threatening conditions, as those terms are defined in 42 U.S.C.,
5 Section 5106g or regulations implementing it and 42 U.S.C., Section
6 5106a."

7 9. Section G of the form, which shall have the heading, in
8 bold, "Directions for Completing and Implementing Form", shall
9 include the following four (4) subdivisions:

- 10 a. the first subdivision, entitled "COMPLETING POLST",
11 shall have the following language with the words "The
12 signature of the patient or the patient's
13 representative is required" appearing in bold on the
14 form:
15 "POLST must be reviewed and prepared in consultation
16 with the patient or the patient's representative after
17 that person has been given a copy of "Information for
18 Patients and Their Families - Your Medical Treatment
19 Rights Under Oklahoma Law". POLST must be reviewed
20 and signed by a physician to be valid. Be sure to
21 document the basis for concluding the patient had or
22 lacked capacity at the time of execution of the form
23 in the patient's medical record. If the patient lacks
24 capacity, any current advance directive form must be

1 reviewed and the patient's representative and
2 physician must both certify that POLST complies with
3 it. The signature of the patient or the patient's
4 representative is required; however, if the patient's
5 representative is not reasonably available to sign the
6 original form, a copy of the completed form with the
7 signature of the patient's representative must be
8 placed in the medical record as soon as practicable
9 and "on file" must be written on the appropriate
10 signature line on this form."

11 b. the second subdivision, entitled "IMPLEMENTING POLST",
12 shall have the following language:

13 "If a minor protests a directive to deny the minor
14 life-preserving medical treatment, the denial of
15 treatment may not be implemented pending issuance of a
16 judicial order resolving the conflict. A health care
17 provider unwilling to comply with POLST must comply
18 with the transfer and treatment pending transfer
19 requirements of Section 3101.9 of Title 63 of the
20 Oklahoma Statutes as well as those of the
21 Nondiscrimination in Treatment Act, Sections 3090.2
22 and 3090.3 of Title 63 of the Oklahoma Statutes", and

23 c. the third subdivision, entitled "REVIEWING POLST",
24 shall have the following language:

1 "This POLST must be reviewed at least annually or
2 earlier if:

3 The patient is admitted to or discharged from a
4 medical care facility; there is substantial change in
5 the patient's health status; or the treatment
6 preferences of the patient or patient's representative
7 change."

8 The same requirements for participation of the patient or
9 patient's representative, and signature by both a physician and the
10 patient or the patient's representative, that are described under
11 "COMPLETING POLST" shall also apply when POLST is reviewed, and must
12 be documented in Section I.

13 10. Section G of the form, which shall have the heading, in
14 bold, "REVOCATION OF POLST", shall have the following language, with
15 the words specified below appearing in bold on the form:

16 "If POLST is revised or becomes invalid, write in bold the word
17 "VOID" in large letters on the front of the form. After voiding the
18 form a new form may be completed. A patient with capacity or the
19 individual or individuals authorized to sign on behalf of the
20 patient in Section E of this form may void this form. If no new
21 form is completed, full treatment and resuscitation is to be
22 provided, except as otherwise authorized by Oklahoma law."

23 11. Section H of the form, which shall have the heading, in
24 bold, "REVIEW SECTION", followed by: "Periodic review confirms

1 current form or may require completion of new form," shall include
2 the following columns and a number of rows determined by the Office
3 of the Attorney General:

- 4 a. Date of Review,
- 5 b. Location of Review,
- 6 c. Patient or Representative Signature,
- 7 d. Physician Signature, and
- 8 e. Outcome of Review.

9 Each row in column (5) shall include a checkbox followed by
10 "FORM CONFIRMED - No Change", below which there shall be a checkbox
11 followed by "FORM VOIDED, see updated form.", below which there
12 shall be a checkbox followed by, "FORM VOIDED, no new form."

13 A final section of the form, which shall have the heading, in
14 bold, "Contact Information:", shall include two rows of four
15 columns. In the first column, the first row shall include
16 "Patient/Representative" followed by an adequate space for such
17 information, and the second column shall include "Health Care
18 Professional Preparing Form" followed by an adequate space for such
19 information. In the second column both rows shall include
20 "Relationship" followed by an adequate space for such information;
21 in the third column both rows shall include "Phone Number" followed
22 by an adequate space for such information; and in the fourth column
23 both rows shall include "Email Address" followed by an adequate
24 space for such information.

1 SECTION 5. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3105.5 of Title 63, unless there
3 is created a duplication in numbering, reads as follows:

4 A. A physician or other health care provider acting in good
5 faith and in accordance with reasonable medical standards applicable
6 to the physician or other health care provider is not subject to
7 civil or criminal liability or to discipline for unprofessional
8 conduct for:

9 1. Executing an Oklahoma standardized format physician orders
10 for life-sustaining treatment form in compliance with a health care
11 decision of a person apparently having authority to make a health
12 care decision for a patient, including a decision to provide,
13 withhold or withdraw health care;

14 2. Declining to execute a physician orders for life-sustaining
15 treatment form in compliance with a health care decision of a person
16 based on a reasonable belief that the person then lacked authority;
17 or

18 3. Complying with an apparently valid Oklahoma standardized
19 format physician orders for life-sustaining treatment form on the
20 assumption that the order was valid when made and has not been
21 revoked or terminated.

22 B. A person who intentionally falsifies, forges, conceals,
23 defaces or obliterates an individual's physician orders for life-
24 sustaining treatment form without the individual's consent, or who

1 coerces or fraudulently induces an individual to give, revoke or not
2 to give a physician orders for life-sustaining treatment form, is
3 subject to liability to that individual for damages of Two Hundred
4 Thousand Dollars (\$200,000.00) or actual damages resulting from the
5 action, whichever is greater, plus reasonable attorney fees.

6 C. On petition of a health care provider or facility involved
7 with the patient's care, the patient or the patient's custodial
8 parent or guardian, attorney-in-fact, guardian or health care proxy,
9 or other person who has authority to make health care decisions for
10 the patient under common law, any court of competent jurisdiction
11 may enjoin or direct a health care decision related to a physician
12 orders for life-sustaining treatment form, or order other
13 appropriate equitable relief. The court shall issue such temporary
14 orders as necessary to preserve the life of the patient pending a
15 final judgment in such litigation, including any appeals.

16 SECTION 6. AMENDATORY 58 O.S. 2011, Section 1072.1, is
17 amended to read as follows:

18 Section 1072.1. A. The durable power of attorney may show or
19 state:

20 1. The fact of execution under the provisions of the Uniform
21 Durable Power of Attorney Act;

22 2. The time and conditions under which the power is to become
23 effective;

24 3. The extent and scope of the powers conferred; and

1 4. Who is to exercise the power, including any successor
2 attorney-in-fact if a prior appointed attorney-in-fact dies, ceases
3 to act, refuses or is unable to serve, or resigns.

4 B. The power may grant complete or limited authority with
5 respect to the principal's:

6 1. Person, including, but not limited to, health and medical
7 care decisions and a do-not-resuscitate consent on the principal's
8 behalf, but excluding:

9 a. the execution, on behalf of the principal, of a
10 Directive to Physicians, an Advance Directive for
11 Health Care, Living Will, or other document, except an
12 Oklahoma standardized form physician orders for life-
13 sustaining treatment in accordance with the provisions
14 of this act, purporting to authorize life-sustaining
15 treatment decisions, and

16 b. the making of life-sustaining treatment decisions
17 unless the power complies with the requirements for a
18 health care proxy under the Oklahoma ~~Rights of the~~
19 ~~Terminally Ill or Persistently Unconscious~~ Advance
20 Directive Act or the Oklahoma Do-Not-Resuscitate Act;
21 and

22 2. Property, including homestead property, whether real,
23 personal, intangible or mixed.

24

1 SECTION 7. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 The Office of the Attorney General shall establish the
4 standardized format for physician orders for life-sustaining
5 treatment in accordance with Sections 3 and 4 of this act within
6 sixty (60) days of the act's effective date and publish it on its
7 website.

8 SECTION 8. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 3164 of Title 63, unless there
10 is created a duplication in numbering, reads as follows:

11 A. The Office of the Attorney General shall prepare, from time
12 to time revise, and make available on the Office's website an online
13 presentation, which shall be a minimum of one (1) hour in length,
14 consisting of training on the responsibilities of health care
15 providers concerning physician orders for life-sustaining treatment
16 (POLST). The Office shall provide for means to verify that a viewer
17 indeed observed the full online presentation, such as a quiz on its
18 content to be answered at the end of the presentation or other
19 methods commonly employed in association with continuing medical
20 education. The Office shall provide to each viewer who complies
21 with such verification a dated certification that the viewer
22 completed the online training. The time required for observation of
23 this presentation shall count as part of, rather than being in
24 addition to, continuing education otherwise required for licensed

1 health care providers. The Office shall make the current online
2 presentation available on the Office's website and shall inform all
3 Oklahoma inpatient health care services entities of its availability
4 and how to access it online on the Office's website. The online
5 presentation shall include:

6 1. That prior to requesting the signature of the patient or the
7 patient's representative on the Oklahoma physician orders for life-
8 sustaining treatment, the attending physician or health care
9 professional preparing the form has an obligation to discuss with
10 the patient or the patient's representative the patient's personal
11 goals for care and treatment and the benefits and risks of various
12 methods for documenting the patient's wishes for treatment,
13 including advance directives and immediately-effective physician
14 orders for life-sustaining treatment;

15 2. Methods for presenting treatment choices that elicit
16 information concerning patients' preferences and respect those
17 preferences without directing or nudging patients toward rejecting
18 treatment;

19 3. Awareness of factors that may affect the use of advance
20 directives and physician orders for life-sustaining treatment
21 including race, ethnicity, age, gender, socioeconomic position,
22 immigrant status, language barriers, disability, homelessness and
23 mental illness;

24

1 4. Procedures for properly completing, implementing, reviewing
2 and revoking an Oklahoma physician orders for life-sustaining
3 treatment; and

4 5. That the patient or patient's representative must be given a
5 copy of any physician orders for life-sustaining treatment
6 immediately after signing it.

7 B. Inpatient health care services entities shall ensure that
8 before reviewing and preparing any Oklahoma physician orders for
9 life-sustaining treatment in consultation with a patient in the
10 entity or the patient's legally authorized representative, any
11 attending physician or other health care provider preparing the form
12 who is associated with the inpatient health care services entity
13 shall have viewed the online presentation described in subsection A
14 of this section at least once during either the calendar month in
15 which the order is executed or during the immediately preceding
16 twenty-three (23) months. Inpatient health care services entities
17 shall ensure that such health care providers provide the entity with
18 a copy of each dated certification by the Office of the Attorney
19 General verifying that the provider observed the online presentation
20 in compliance with this requirement, and shall maintain such copies
21 on file for a minimum of four (4) calendar years following the
22 calendar year in which they were issued. The files of such copies
23 shall be subject to inspection under subsection B of Section 1-705,
24 and Sections 1-829 and 1-1911 of Title 63 of the Oklahoma Statutes.

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2 BILL NO. 3017

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13 certain information to be provided to patient or
14 patient representative; prohibiting validity of
15 certain forms under certain circumstances;
16 prescribing contents, phrasing, and format of certain
17 form; providing immunity from certain liability;
18 providing liability for certain persons; permitting
19 court enjoinder under certain circumstances;
20 requiring certain orders under certain circumstances;
21 amending 58 O.S. 2011, Section 1072.1, which relates
22 to durable power of attorney; providing certain
23 exception; clarifying language; directing State Board
24 of Medical Licensure and Supervision to establish and
publish certain format; providing for codification;
providing for noncodification; and providing an
effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 3105.1 of Title 63, unless there
is created a duplication in numbering, reads as follows:

1 This act shall be known and may be cited as the "Physician
2 Orders for Life-Sustaining Treatment Act".

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 3105.2 of Title 63, unless there
5 is created a duplication in numbering, reads as follows:

6 As used in the Physician Orders for Life-Sustaining Treatment
7 Act:

8 1. "Attorney-in-fact" means an attorney-in-fact authorized to
9 act pursuant to the Uniform Durable Power of Attorney Act, Sections
10 1071 through 1077 of Title 58 of the Oklahoma Statutes, with
11 authority to act regarding the patient's health and medical care
12 decisions, subject to the limitations under paragraph 1 of
13 subsection B of Section 1072.1 of Title 58 of the Oklahoma Statutes;

14 2. "Guardian" means a general guardian of the person appointed
15 pursuant to subsection A of Section 3-112 of Title 30 of the
16 Oklahoma Statutes, or a limited guardian of the person appointed
17 pursuant to subsection B of Section 3-112 of Title 30 of the
18 Oklahoma Statutes with authority to make personal medical decisions
19 as determined under paragraph 5 of subsection B of Section 3-113 of
20 Title 30 of the Oklahoma Statutes;

21 3. "Health care provider" means a person who is licensed,
22 certified, or otherwise authorized by the laws of this state to
23 administer health care in the ordinary course of business or
24 practice of a profession;

1 4. "Health care proxy" means a health care proxy or alternate
2 health care proxy authorized to act pursuant to the Oklahoma Advance
3 Directive Act, Sections 3101.1 through 3101.16 of Title 63 of the
4 Oklahoma Statutes, as defined in paragraph 6 of Section 3101.3 of
5 Title 63 of the Oklahoma Statutes; and

6 5. "Other legally authorized person" means a person, other than
7 a minor's custodial parent or guardian, the patient, or the
8 patient's attorney-in-fact, guardian or health care proxy, who has
9 authority to make health care decisions for the patient under common
10 law.

11 SECTION 3. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 3105.3 of Title 63, unless there
13 is created a duplication in numbering, reads as follows:

14 A. The State Board of Medical Licensure and Supervision shall
15 establish the standardized format for a form in accordance with the
16 provisions of Section 4 of this act, adhering to the directions,
17 sequence and wording in those provisions.

18 B. An Oklahoma physician orders for life-sustaining treatment
19 shall be executed, implemented, reviewed, and revoked in accordance
20 with the instructions on the form required by this section. At the
21 beginning of reviewing and preparing it in consultation with the
22 patient or the patient's legally authorized representative, the
23 attending physician or the health care professional preparing the
24 form or an agent of either shall give that person a copy of the

1 disclosure statement described in subsection A of Section 3163 of
2 Title 63 of the Oklahoma Statutes.

3 C. A physician orders for life-sustaining treatment (POLST),
4 physician orders for scope of treatment (POST), medical orders for
5 life-sustaining treatment (MOLST), medical orders for scope of
6 treatment (MOST), transportable physician orders for patient
7 preferences (TPOPP), or similar document that does not comply with
8 the standardized format for an Oklahoma physician orders for life-
9 sustaining treatment established by regulations promulgated in
10 accordance with this section:

11 1. That was executed in this state prior to the effective date
12 of the standardized format established in accordance with this
13 section shall have no validity after forty-five (45) days following
14 that effective date or after ten (10) days following the admission
15 of the patient to an Oklahoma medical care facility, whichever is
16 later; provided, that a standardized format Oklahoma physician
17 orders for life-sustaining treatment executed subsequent to such
18 document's execution shall immediately supersede it; or

19 2. That was executed outside this state in compliance with the
20 laws of the jurisdiction of execution shall have no validity after
21 ten (10) days following the admission of the patient to an Oklahoma
22 medical care facility; provided, that a standardized format Oklahoma
23 physician orders for life-sustaining treatment executed subsequent
24 to such document's execution shall immediately supersede it.

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3105.4 of Title 63, unless there
3 is created a duplication in numbering, reads as follows:

4 A. At the top of the first page of the standardized format
5 Oklahoma physician orders for life-sustaining treatment the
6 following wording in all capitals shall appear against a contrasting
7 color background: "FORM SHALL ACCOMPANY PERSON WHEN TRANSFERRED OR
8 DISCHARGED"; at the bottom of the first page the following wording
9 in all capitals shall appear against a contrasting color background:
10 "HIPAA PERMITS DISCLOSURE TO HEALTH CARE PROFESSIONALS AND PROXY
11 DECISION MAKERS AS NECESSARY FOR TREATMENT".

12 B. There shall be an introductory section, the left block of
13 which shall contain the name "Oklahoma Physician Orders for Life-
14 Sustaining Treatment (POLST)" followed by the words, "This Physician
15 Order set is based on the patient's current medical condition and
16 wishes and is to be reviewed for potential replacement in the case
17 of a substantial change in either, as well as in other cases listed
18 under F. Any section not completed indicates full treatment for
19 that section. Photocopy or fax copy of this form is legal and
20 valid." and the right block of which shall contain lines for the
21 patient's name, the patient's date of birth, and the effective date
22 of the form followed by the statement "Form must be reviewed at
23 least annually."

24

1 C. In Section A of the form, the left block shall contain, in
2 bold font, "A. Check One", and the right block shall be headed in
3 bold font, "Cardiopulmonary Resuscitation (CPR): Person has no
4 pulse and is not breathing." below which there shall be a checkbox
5 followed by "Attempt Resuscitation (CPR)", then a checkbox followed
6 by "Do Not Attempt Resuscitation (DNR/no CPR)", and below which
7 shall be the words, "When not in cardiopulmonary arrest, follow
8 orders in B, C and D below."

9 D. In Section B of the form, the left block shall contain, in
10 bold font, "B. Check One", and the right block shall be headed in
11 bold font, "Medical Interventions: Person has pulse and/or is
12 breathing." Below this there shall be a checkbox followed by, in
13 bold font, "Full Treatment" followed by, "Includes the use of
14 intubation, advanced airway interventions, mechanical ventilation,
15 defibrillation or cardioversion as indicated, medical treatment,
16 intravenous fluids, and cardiac monitor as indicated. Transfer to
17 hospital if indicated. Includes intensive care. Includes treatment
18 listed under "Limited Interventions" and "Comfort Measures",
19 followed by, in bold font, "Treatment Goal: Attempt to preserve
20 life by all medically effective means."

21 Below this there shall be a checkbox followed by, in bold font,
22 "Limited Interventions" followed by, "Includes the use of medical
23 treatment, oral and intravenous medications, intravenous fluids,
24 cardiac monitoring as indicated, noninvasive bi-level positive

1 airway pressure, a bag valve mask, or other advanced airway
2 interventions. Includes treatment listed under "Comfort Measures",
3 followed by "Do not use intubation or mechanical ventilation.
4 Transfer to hospital if indicated. Avoid intensive care." followed
5 by, in bold font, "Treatment Goal: Attempt to preserve life by
6 basic medical treatments."

7 Below this there shall be a checkbox followed by, in bold font,
8 "Comfort Measures only" followed by, "Includes keeping the patient
9 clean, warm, and dry; use of medication by any route; positioning,
10 wound care, and other measures to relieve pain and suffering. Use
11 oxygen, suction, and manual treatment of airway obstruction as
12 needed for comfort. Transfer from current location to intermediate
13 facility only if needed and adequate to meet comfort needs and to
14 hospital only if comfort needs cannot otherwise be met in the
15 patient's current location (e.g., hip fracture if intravenous route
16 of comfort measures is required)."

17 Below this there shall be, in italics, "Additional Orders:"
18 followed by an underlined space for other instructions.

19 E. In Section C of the form, the left block shall contain, in
20 bold font, "C. Check One", and the right block shall be headed in
21 bold font "Antibiotics".

22 Below this there shall be a checkbox followed by, in bold font,
23 "Use Antibiotics to preserve life."
24

1 Below this there shall be a checkbox followed by, in bold font,
2 "Trial period of antibiotics if and when infection occurs." After
3 this there shall be, in italics, "*Include goals below in E."

4 Below this there shall be a checkbox followed by, in bold font,
5 "Initially, use antibiotics only to relieve pain and discomfort."
6 After this there shall be, in italics, "+Contact patient or
7 patient's representative for further direction."

8 Below this there shall be, in italics, "Additional Orders:"
9 followed by an underlined space for other instructions.

10 F. In Section D of the form, the left block shall contain, in
11 bold, "D. Check One in Each Column", and the right block shall be
12 headed in bold font "Assisted Nutrition and Hydration", below which
13 shall be "Administer oral fluids and nutrition, if necessary by
14 spoon feeding, if physically possible." Below these the right block
15 shall be divided into three columns.

16 The leftmost column shall be headed, "TPN (Total Parenteral
17 Nutrition-provision of nutrition into blood vessels)." Below this
18 there shall be a checkbox followed by, in bold font, "TPN long-term"
19 followed by "if needed". Below this there shall be a checkbox
20 followed by, in bold font, "TPN for a trial period*". Below this
21 there shall be a checkbox followed by, in bold font, "Initially, no
22 TPN+".

23 The middle column shall be headed "Tube Feeding". Below this
24 there shall be a checkbox followed by, in bold font, "Long-term

1 feeding tube" followed by "if needed". Below this there shall be a
2 checkbox followed by, in bold font, "Feeding tube for a trial
3 period*". Below this there shall be a checkbox followed by, in bold
4 font, "Initially, no feeding tube".

5 The rightmost column shall be headed, "Intravenous (IV) Fluids
6 for Hydration". Below this there shall be a checkbox followed by,
7 in bold font, "Long-term IV fluids" followed by "if needed". Below
8 this there shall be a checkbox followed by, in bold font, "IV fluids
9 for a trial period*". Below this there shall be a checkbox followed
10 by, in bold font, "Initially, no IV fluids+".

11 Running below all the columns there shall be, in italics,
12 "Additional Orders:" followed by an underlined space for other
13 instructions, followed by, in italics, "*Include goals below in E.
14 +Contact patient or patient's representative for further direction."

15 G. In Section E of the form, the left block shall contain, in
16 bold, "E. Check all that apply" and the right block shall be
17 headed, in bold font, "Patient Preferences as a Basis for this POLST
18 Form" shall include the following:

19 1. Below the heading there shall be a box including the words,
20 in bold, "Patient Goals/Medical Condition:" followed by an adequate
21 space for such information;

22 2. Below this there shall be a checkbox followed by, "The
23 patient has an advance directive for health care in accordance with
24 Sections 3101.4 or 3101.14 of Title 63 of the Oklahoma Statutes."

1 Below that there shall be a checkbox followed by, "The patient has a
2 durable power of attorney for health care decisions in accordance
3 with paragraph 1 of subsection B of Section 1072.1 of Title 58 of
4 the Oklahoma Statutes." Below that shall be the indented words
5 "Date of execution" followed by an underlined space. Below that
6 shall be the words, "If POLST not being executed by patient: We
7 certify that this POLST is in accordance with the patient's advance
8 directive." Below this there shall be an underlined space
9 underneath which shall be positioned the words "Name and Position
10 (print) Signature" and "Signature of Physician";

11 3. Below these shall be the words, "Directions given by:" and
12 below that a checkbox followed by "Patient", a checkbox followed by
13 "Minor's custodial parent or guardian", a checkbox followed by
14 "Attorney-in-fact", a checkbox followed by "Health care proxy", and
15 a checkbox followed by "Other legally authorized person:" followed
16 by an underlined space. Beneath or beside the checkbox and "Other
17 legally authorized person:" and the underlined space shall be the
18 words "Basis of Authority:" followed by an underlined space; and

19 4. Below these shall be a four-column table with four rows. In
20 the top row the first column shall be blank; the second column shall
21 have the words, "Printed Name"; the third column shall have the
22 word, "Signature", and the fourth column shall have the word,
23 "Date". In the remaining rows the second through fourth columns
24 shall be blank. In the first column of these rows, in the second

1 row shall be the words "Attending physician"; in the third row shall
2 be the words "Patient or other individual checked above (patient's
3 representative)"; and in the fourth row shall be the words, "Health
4 care professional preparing form (besides doctor)."

5 H. Section F of the form, which shall have the heading, in bold
6 font, "Information for Patient or Representative of Patient Named on
7 this Form", shall include the following language, appearing in bold
8 font on the form:

9 "The POLST form is always voluntary and is usually for persons
10 with advanced illness. Before providing information for or signing
11 it, carefully read "Information for Patients and Their Families -
12 Your Medical Treatment Rights Under Oklahoma Law", which the health
13 care provider must give you. It is especially important to read the
14 sections on CPR and food and fluids, which have summaries of
15 Oklahoma laws that may control the directions you may give. POLST
16 records your wishes for medical treatment in your current state of
17 health. Once initial medical treatment is begun and the risks and
18 benefits of further therapy are clear, your treatment wishes may
19 change. Your medical care and this form can be changed to reflect
20 your new wishes at any time. However, no form can address all the
21 medical treatment decisions that may need to be made. An advance
22 health care directive is recommended, regardless of your health
23 status. An advance directive allows you to document in detail your
24

1 future health care instructions and/or name a health care agent to
2 speak for you if you are unable to speak for yourself.

3 The State of Oklahoma affirms that the lives of all are of equal
4 dignity regardless of age or disability and emphasizes that no one
5 should ever feel pressured to agree to forego life-preserving
6 medical treatment because of age, disability, or fear of being
7 regarded as a burden.

8 If this form is for a minor for whom you are authorized to make
9 health care decisions, you may not direct denial of medical
10 treatment in a manner that would violate the child abuse and neglect
11 laws of Oklahoma. In particular, you may not direct the withholding
12 of medically indicated treatment from a disabled infant with life-
13 threatening conditions, as those terms are defined in 42 U.S.C.,
14 Section 5106g, or regulations implementing it and 42 U.S.C., Section
15 5106a."

16 I. Section G of the form, which shall have the heading, in bold
17 font, "Directions for Completing and Implementing Form", shall
18 include the following three subdivisions:

19 1. The first subdivision, entitled "COMPLETING POLST", shall
20 have the following language:

21 "POLST must be reviewed and prepared in consultation with
22 the patient or the patient's representative after that
23 person has been given a copy of "Information for Patients
24 and Their Families - Your Medical Treatment Rights Under

1 Oklahoma Law". POLST must be reviewed and signed by a
2 physician to be valid. Be sure to document the basis for
3 concluding the patient had or lacked capacity at the time
4 of execution of the form in the patient's medical record.
5 If the patient lacks capacity, any current advance
6 directive form must be reviewed and the patient's
7 representative and physician must both certify that POLST
8 complies with it. The signature of the patient or the
9 patient's representative is required; however, if the
10 patient's representative is not reasonably available to
11 sign the original form, a copy of the completed form with
12 the signature of the patient's representative must be
13 placed in the medical record as soon as practicable and "on
14 file" must be written on the appropriate signature line on
15 this form.";

16 2. The second subdivision, entitled "IMPLEMENTING POLST", shall
17 have the following language:

18 "If a minor protests a directive to deny the minor life-
19 preserving medical treatment, the denial of treatment may
20 not be implemented pending issuance of a judicial order
21 resolving the conflict. A health care provider unwilling
22 to comply with POLST must comply with the transfer and
23 treatment pending transfer requirements of Section 3101.9
24 of Title 63 of the Oklahoma Statutes as well as those of

1 the Nondiscrimination in Treatment Act, Sections 3090.2 and
2 3090.3 of Title 63 of the Oklahoma Statutes."; and

3 3. The third subdivision, entitled "REVIEWING POLST", shall
4 have the following language:

5 "This POLST must be reviewed at least annually or earlier
6 if:

7 The patient is admitted to or discharged from a medical
8 care facility; there is substantial change in the patient's
9 health status; or the treatment preferences of the patient
10 or patient's representative change."

11 The same requirements for participation of the patient or
12 patient's representative, and signature by both a physician and the
13 patient or the patient's representative, that are described under
14 "COMPLETING POLST" shall also apply when POLST is reviewed, and must
15 be documented in Section I.

16 J. Section H of the form, which shall have the heading, in bold
17 font, "REVOCAION OF POLST", shall have the following language, with
18 the words specified below appearing in bold font on the form:

19 "If POLST is revised or becomes invalid, write in bold the word
20 "VOID" in large letters on the front of the form. After voiding the
21 form a new form may be completed. A patient with capacity or the
22 individual or individuals authorized to sign on behalf of the
23 patient in Section E of this form may void this form. If no new
24

1 form is completed, full treatment and resuscitation is to be
2 provided."

3 K. Section I of the form, which shall have the heading, in bold
4 font, "REVIEW SECTION", followed by: "Periodic review confirms
5 current form or may require completion of new form.", shall include
6 the following columns and a number of rows determined by the State
7 Board of Medical Licensure and Supervision:

- 8 1. Date of Review;
- 9 2. Location of Review;
- 10 3. Patient or Representative Signature;
- 11 4. Physician Signature; and
- 12 5. Outcome of Review.

13 Each row in column 5 shall include a checkbox followed by "FORM
14 CONFIRMED - No Change", below which there shall be a checkbox
15 followed by "FORM VOIDED, see updated form.", below which there
16 shall be a checkbox followed by, "FORM VOIDED, no new form."

17 A final section of the form, which shall have the heading, in
18 bold font, "Contact Information:", shall include two rows of four
19 columns. In the first column, the first row shall include
20 "Patient/Representative" followed by an adequate space for such
21 information, and the second column shall include "Health Care
22 Professional Preparing Form" followed by an adequate space for such
23 information; in the second column both rows shall include
24 "Relationship" followed by an adequate space for such information;

1 in the third column both rows shall include "Phone Number" followed
2 by an adequate space for such information; and in the fourth column
3 both rows shall include "Email Address" followed by an adequate
4 space for such information.

5 SECTION 5. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 3105.5 of Title 63, unless there
7 is created a duplication in numbering, reads as follows:

8 A. A physician or other health care provider acting in good
9 faith and in accordance with reasonable medical standards applicable
10 to the physician or other health care provider is not subject to
11 civil or criminal liability or to discipline for unprofessional
12 conduct for:

13 1. Executing an Oklahoma standardized format physician orders
14 for life-sustaining treatment form in compliance with a health care
15 decision of a person apparently having authority to make a health
16 care decision for a patient, including a decision to provide,
17 withhold or withdraw health care;

18 2. Declining to execute a physician orders for life-sustaining
19 treatment form in compliance with a health care decision of a person
20 based on a reasonable belief that the person then lacked authority;
21 or

22 3. Complying with an apparently valid Oklahoma standardized
23 format physician orders for life-sustaining treatment form on the
24

1 assumption that the order was valid when made and has not been
2 revoked or terminated.

3 B. A person who intentionally falsifies, forges, conceals,
4 defaces, or obliterates an individual's physician orders for life-
5 sustaining treatment form without the individual's consent, or who
6 coerces or fraudulently induces an individual to give, revoke, or
7 not to give a physician orders for life-sustaining treatment form,
8 is subject to liability to that individual for damages of Two
9 Hundred Thousand Dollars (\$200,000.00) or actual damages resulting
10 from the action, whichever is greater, plus reasonable attorney
11 fees.

12 C. On petition of a health care provider or facility involved
13 with the patient's care, the patient or the patient's custodial
14 parent or guardian, attorney-in-fact, guardian or health care proxy,
15 or other person who has authority to make health care decisions for
16 the patient under common law, any court of competent jurisdiction
17 may enjoin or direct a health care decision related to a physician
18 orders for life-sustaining treatment form, or order other
19 appropriate equitable relief. The court shall issue such temporary
20 orders as necessary to preserve the life of the patient pending a
21 final judgment in such litigation, including any appeals.

22 SECTION 6. AMENDATORY 58 O.S. 2011, Section 1072.1, is
23 amended to read as follows:

24

1 Section 1072.1 A. The durable power of attorney may show or
2 state:

3 1. The fact of execution under the provisions of the Uniform
4 Durable Power of Attorney Act;

5 2. The time and conditions under which the power is to become
6 effective;

7 3. The extent and scope of the powers conferred; and

8 4. Who is to exercise the power, including any successor
9 attorney-in-fact if a prior appointed attorney-in-fact dies, ceases
10 to act, refuses or is unable to serve, or resigns.

11 B. The power may grant complete or limited authority with
12 respect to the principal's:

13 1. Person, including, but not limited to, health and medical
14 care decisions and a do-not-resuscitate consent on the principal's
15 behalf, but excluding:

16 a. the execution, on behalf of the principal, of a
17 Directive to Physicians, an Advance Directive for
18 Health Care, Living Will, or other document, except an
19 Oklahoma standardized format physician orders for
20 life-sustaining treatment in accordance with the
21 provisions of this act, purporting to authorize life-
22 sustaining treatment decisions, and

23 b. the making of life-sustaining treatment decisions
24 unless the power complies with the requirements for a

1 health care proxy under the Oklahoma ~~Rights of the~~
2 ~~Terminally Ill or Persistently Unconscious~~ Advance
3 Directive Act or the Oklahoma Do-Not-Resuscitate Act;
4 and

5 2. Property, including homestead property, whether real,
6 personal, intangible or mixed.

7 SECTION 7. NEW LAW A new section of law not to be
8 codified in the Oklahoma Statutes reads as follows:

9 The State Board of Medical Licensure and Supervision shall
10 establish the standardized format for physician orders for life-
11 sustaining treatment in accordance with Sections 3 and 4 of this act
12 within sixty (60) days of the act's effective date and publish it on
13 its website.

14 SECTION 8. This act shall become effective in accordance with
15 the provisions of Section 58 of Article V of the Oklahoma
16 Constitution.

