
A BILL FOR AN ACT

RELATING TO ADVANCE HEALTH-CARE DIRECTIVES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 327E-9, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) An individual acting as agent, guardian, or surrogate
4 under this chapter shall not be subject to civil or criminal
5 liability or to discipline for unprofessional conduct for
6 health-care decisions made in good faith~~[-]~~, unless the
7 complainant shows by clear and convincing evidence that the
8 health-care decision of the individual was contrary to the
9 intent of the patient."

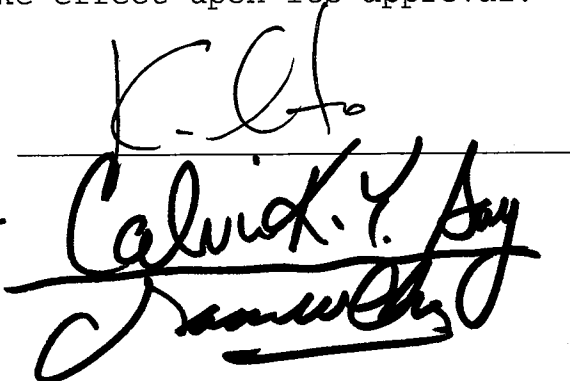
10 SECTION 2. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

16

INTRODUCED BY:



H.B. NO. 549

Report Title:

Advance Health-Care Directives; Immunities; Agents, Surrogates, and Guardians

Description:

Clarifies the immunity of agents, surrogates, and guardians in making a health-care decision regarding a patient's advance health-care directive.

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