
HOUSE BILL 2494

State of Washington

60th Legislature

2008 Regular Session

By Representatives Moeller, Ormsby, and Chase

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1 AN ACT Relating to end-of-life health care directives; amending RCW
2 43.70.480; and adding a new section to chapter 4.24 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.70.480 and 2000 c 70 s 1 are each amended to read
5 as follows:

6 (1) The department of health shall adopt guidelines and protocols
7 for how emergency medical personnel shall respond when summoned to the
8 site of an injury or illness for the treatment of a person who has
9 signed a written directive ((or)), durable power of attorney, or
10 medical order form developed by the department pursuant to subsection
11 (2) of this section requesting that ((he or she not receive futile
12 emergency)) medical treatment be provided, withheld, or withdrawn under
13 specified circumstances.

14 ((The guidelines shall include development of)) (2) The department
15 shall develop a simple medical order form and education program for
16 documenting a person's treatment preferences in any treatment setting,
17 which clearly indicates "resuscitate" or "do not resuscitate" and other
18 choices for medical treatment or comfort care that shall be ((used
19 statewide)) followed by emergency medical personnel certified under

1 chapters 18.71 and 18.73 RCW. The form may be followed by other
2 providers as defined in section 2 of this act, for the purposes of
3 identifying and implementing a person's requests regarding providing,
4 withholding, or withdrawing medical treatment. The provisions of this
5 section do not supersede other legal requirements applicable to
6 providers and providers may not require any person to execute the form.

7 (3) The form must be signed by:

8 (a) An advanced registered nurse practitioner, osteopathic
9 physician, osteopathic physician assistant, physician, or physician
10 assistant; and

11 (b)(i) The person; or

12 (ii) The person's legal surrogate, following the informed consent
13 criteria in RCW 7.70.060.

14 NEW SECTION. Sec. 2. A new section is added to chapter 4.24 RCW
15 to read as follows:

16 (1) For the purposes of this section, "provider" means:

17 (a) An advanced registered nurse practitioner, naturopath,
18 osteopathic physician, osteopathic physician assistant, physician, or
19 physician assistant;

20 (b) A health care provider acting within the provider's licensed
21 scope of practice and under the direction of an advanced registered
22 nurse practitioner, osteopathic physician, osteopathic physician
23 assistant, physician, or physician assistant;

24 (c) A kidney disease treatment center and its personnel; or

25 (d) A health facility as defined in chapter 70.122 RCW and its
26 personnel, health care facility as defined in chapter 71.32 RCW and its
27 personnel, or adult family home as defined in chapter 70.128 RCW and
28 its personnel.

29 (2) Any provider who participates in good faith in the withholding
30 or withdrawal of life-sustaining treatment from a person in accordance
31 with the directions stated on a medical order form endorsed by the
32 department of health under RCW 43.70.480 and signed by an advanced
33 registered nurse practitioner, osteopathic physician, osteopathic
34 physician assistant, physician, or physician assistant, and the person
35 or, as appropriate, the person's legal surrogate shall be immune from

1 legal liability, including civil, criminal, or professional conduct
2 sanctions, unless otherwise negligent.

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