
HOUSE BILL 2462

State of Washington 62nd Legislature 2012 Regular Session

By Representatives Moeller, Appleton, and Roberts

Read first time 01/16/12. Referred to Committee on Judiciary.

1 AN ACT Relating to immunity for health care providers following
2 end-of-life planning declarations; and amending RCW 43.70.480.

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)) requesting
10 that he or she not receive ((futile)) certain emergency medical
11 treatments.

12 (2) The guidelines developed under subsection (1) of this section
13 shall include development of a ((simple)) form that shall be used
14 statewide to provide emergency and end-of-life instructions to
15 emergency medical personnel. The form shall be known as "physician
16 orders for life sustaining treatment."

17 (3) To be valid and enforceable, the form must be signed by:

18 (a) A physician licensed under chapter 18.71 RCW, an osteopathic
19 physician licensed under chapter 18.57 RCW, an advanced registered

1 nurse practitioner licensed under chapter 18.79 RCW, a physician
2 assistant licensed under chapter 18.71A RCW, or an osteopathic
3 physician assistant licensed under chapter 18.57A RCW; and

4 (b) The patient or legal surrogate.

5 (4) The form may be used by health care providers to communicate
6 orders pertaining to emergency and end-of-life care.

7 (5) Any provider, acting within the scope of his or her license,
8 who participates in good faith in the provision, withholding, or
9 withdrawal of life-sustaining treatment in accordance with the
10 directions contained in a physician orders for life-sustaining
11 treatment form shall be immune from legal liability, including civil,
12 criminal, or professional conduct sanctions, unless otherwise
13 negligent.

14 (6) For purposes of this section, the term "provider" includes:

15 (a) Health care providers listed in subsection (3)(a) of this
16 section or RCW 70.122.051(1);

17 (b) Health facilities listed in RCW 70.122.020 and their health-
18 related personnel;

19 (c) Adult family homes licensed under chapter 70.128 RCW and their
20 health-related personnel;

21 (d) Any "health care facility" or "long-term care facility" as
22 defined in RCW 71.32.020 and their health-related personnel;

23 (e) "State veterans' homes" as defined in RCW 72.36.035 and their
24 health-related personnel;

25 (f) Kidney disease treatment centers and their personnel; and

26 (g) Any provider or entity identified in RCW 18.71.210.

--- END ---