

Session 116 - (2005-2006)

H 4013 General Bill, By Clark, Pinson, Davenport, Altman, Frye and Hosey

Summary: Starvation and Dehydration of Persons with Disabilities Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 65 TO TITLE 44, SO AS TO ENACT THE "SOUTH CAROLINA STARVATION AND DEHYDRATION OF PERSONS WITH DISABILITIES PREVENTION ACT" WHICH PROVIDES A PRESUMPTION THAT EVERY PERSON LEGALLY INCAPABLE OF MAKING HEALTH CARE DECISIONS HAS DIRECTED TO BE PROVIDED WITH NUTRITION AND HYDRATION SUFFICIENT TO SUSTAIN LIFE AND TO PROVIDE EXCEPTIONS, INCLUDING, AMONG OTHER THINGS, THAT PROVIDING NUTRITION AND HYDRATION IS NOT MEDICALLY POSSIBLE OR WOULD HASTEN DEATH OR THAT THERE IS CLEAR AND CONVINCING EVIDENCE THAT THE PERSON, WHEN CAPABLE, GAVE CONTRARY DIRECTIVES; AND TO AUTHORIZE SEEKING INJUNCTIVE RELIEF AGAINST A PERSON IN VIOLATION OF THIS CHAPTER.

04/28/05 House Introduced and read first time HJ-46

04/28/05 House Referred to Committee on Judiciary HJ-47