

**SB 219 A STAFF MEASURE SUMMARY**

**Carrier:** Sen. Prozanski

**Senate Committee On Judiciary and Ballot Measure 110  
Implementation**

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**Action Date:** 04/12/21  
**Action:** Do pass with amendments. (Printed A-Eng.)  
**Vote:** 4-2-1-0  
**Yeas:** 4 - Dembrow, Gelser, Manning Jr, Prozanski  
**Nays:** 2 - Linthicum, Thatcher  
**Exc:** 1 - Heard  
**Fiscal:** Fiscal impact issued  
**Revenue:** No revenue impact  
**Prepared By:** Channa Newell, Counsel  
**Meeting Dates:** 3/3, 4/12

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**WHAT THE MEASURE DOES:**

Requires Advance Directive Adoption Committee to submit a report to Legislative Assembly committees relating to judiciary and to health with recommendations for development, adoption, and administration of statewide advance directive registry. Sets date of September 15, 2022, for report and recommendations.

**ISSUES DISCUSSED:**

- Costs and effectiveness of statewide registry
- Use and operation of registries in other states
- Differences between POLST (Physician Orders for Life-Sustaining Treatment) and advance directive
- Need for greater information on effective registries

**EFFECT OF AMENDMENT:**

Replaces the measure.

**BACKGROUND:**

An advance directive is a legal document that appoints a health care representative to make health care decisions on behalf of an incapacitated person and allows a person to indicate their preferences for receiving life-sustaining treatments. The advance directive takes effect upon a person becoming incapacitated. A person may also have a planning document called a POLST. The POLST is a physician's order, developed between a patient and health care provider, to address emergency treatments when a person has a serious health issue or is in failing health. POLSTs are stored in a registry that is accessible by health care providers and emergency responders to determine the proper treatment for a person who is in need of medical services and is incapacitated.

Senate Bill 219 A requires the Advance Directive Adoption Committee to report to the Legislative Assembly committees relating to judiciary and to health with recommendations for the development, adoption, and administration of a statewide advance directive registry for collection and distribution of advance directives. The Advance Directive Adoption Committee must submit its report and recommendations by September 15, 2022.