

Families, Children and Seniors Committee
Testimony HR 314 - December 2, 2020
Representative Ann Bollin, District 42

HR 314 is a resolution to affirm the right of patients and families to direct health care decisions. It is an important first step to protect our most vulnerable citizens and it states what everyone intuitively understands - It is the patient or surrogate decision maker's right to make life-saving or -ending decisions.

Withholding or withdrawing life-sustaining medical treatment decisions need to be made in conjunction with a physician; not by a physician.

Medical situations do arise. Recent restrictions due to COVID-19 have some hospitalized patients and senior citizens in various facilities isolated, creating unprecedented circumstances where family members cannot directly interact with their loved ones and are unable to reasonably assess their status. This resolution is an important first- step when it comes to protecting our most vulnerable citizens.

It is designed to declare an intent to protect patients and their families' rights to make life and death medical decisions in conjunction with a physician and affirm that it is the patient or surrogate decision maker's right to give affirmative consent for the withholding or withdrawing of treatments that will directly lead to death. It is not in keeping with the principles of informed consent and bodily integrity to have physicians making these life-saving or ending, decisions unilaterally.

When there is a disagreement between a patient or surrogate and the medical provider, erring on the side of life should be the norm. If a dispute continues, then a robust system of due process needs to be in place to protect patients.

I believe this resolution is important for us to acknowledge the rights of our aging population and protect them from being deemed "incompatible with life," "futile" or a "waste of medical resources" and a just society must always err on the side of life.

Thank you for the opportunity to present HR 314 to the committee and I am happy to answer any questions you may have at this time.