SENATE BILL No. 219

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-36-6.

Synopsis: Physician order for scope of treatment. Requires an individual's treating physician to evaluate an individual's mental capacity before a physician order for scope of treatment (POST) form may be executed. Specifies that the first POST form executed by an individual is effective for six months but may be renewed with no expiration.

Effective: July 1, 2014.

Holdman

January 9, 2014, read first time and referred to Committee on Health and Provider Services.

Introduced

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 219

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 16-36-6-8, AS ADDED BY P.L.164-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. (a) A POST form may be executed only by an individual's treating physician and only if:

(1) the treating physician has determined that:

(A) the individual is a qualified person; ~~and~~

(B) the individual is mentally able to understand executing a POST form; and

~~(B)~~ **(C)** the medical orders contained in the individual's POST form are reasonable and medically appropriate for the individual; and

(2) the qualified person or representative has completed the POST form in accordance with section 7 of this chapter.

(b) The:

(1) treating physician; and

(2) qualified person or representative;

must sign and date the POST form for the POST form to be effective.

SECTION 2. IC 16-36-6-10.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 10.5. (a) A POST form executed the first time by a qualified declarant or a qualified declarant's health care representative for a condition or illness described in section 5 of this chapter is effective for six (6) months from the date of the execution.**

(b) A POST form may be renewed and, upon renewal, does not expire unless revoked.