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## DIGEST

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HB 459 Original

2022 Regular Session

Charles Owen

**Abstract:** Enacts the Life-Sustaining Care Act which establishes a duty for healthcare providers and institutions to provide life-sustaining care in certain instances.

Proposed law provides that its purpose is to require any healthcare provider or institution that declines to honor a request by a patient, or the legal representative of a patient, for the provision or continuation of life-sustaining care to provide continuing life-sustaining care to the patient until a transfer can be effected, and to make reasonable efforts to assist in the transfer of the patient to a willing healthcare provider or healthcare institution.

Proposed law defines "life-sustaining care" as health care including, but not limited to, mechanical ventilation, renal dialysis, chemotherapy, antibiotics, and nutrition and hydration that, in reasonable medical judgment, has a significant possibility of sustaining the life of a patient.

Proposed law stipulates that if a patient, a legal representative of a patient, or an advance directive of a patient directs the provision or opposes the withdrawal of life-sustaining care that, in reasonable medical judgment, has a significant possibility of sustaining the life of a patient, a healthcare provider or institution shall ensure the provision or continuation of the directed life-sustaining care.

Proposed law authorizes healthcare providers and institutions that are unwilling to provide life-sustaining care to transfer a patient to another healthcare provider or institution capable of and willing to provide such care. Requires, however, that the unwilling provider or institution ensure the provision of life-sustaining care until the patient is transferred. Requires further that any transfer of a patient pursuant to the provisions of proposed law shall be conducted promptly upon agreement by the receiving provider or institution to admit the patient.

(Adds R.S. 40:1152.1-1152.4)