

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1952

By: Representative M. Gray

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS PHYSICIAN ORDER FOR
LIFE-SUSTAINING TREATMENT ACT; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE ARKANSAS PHYSICIAN ORDER FOR
LIFE-SUSTAINING TREATMENT ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 20-6-303 is amended to read as follows:
20-6-303. Definitions.

As used in this subchapter:

(1) "Advanced practice registered nurse" means a nurse who is licensed for the practice of advanced practice registered nursing by the Arkansas State Board of Nursing;

~~(1)(A)~~(2)(A) "Healthcare facility" means an institution, building, agency, or a portion of an institution, building, or agency that is used, operated, or designed to provide healthcare services, medical treatment, nursing care, rehabilitative care, or preventative care to an individual, regardless of whether the institution, building, or agency is a private organization, a public organization, a nonprofit organization, or a for-profit organization.

(B) "Healthcare facility" includes without limitation:

- (i) An ambulatory surgical facility;
- (ii) A home health agency;
- (iii) A hospice;



- (iv) A hospital;
- (v) An infirmary;
- (vi) A long-term care facility;
- (vii) An assisted living facility;
- (viii) A mental health center;
- (ix) An outpatient facility;
- (x) A rehabilitation facility; and
- (xi) A residential treatment facility;

~~(2)~~(3) "Healthcare provider" means an individual who is licensed, certified, or otherwise authorized or permitted by the laws of this state to administer health care in the ordinary course of business or in the practice of a profession, including without limitation:

- (A) An emergency medical care provider; and
- (B) An individual providing home and community-based

services;

~~(3)~~(4) "Legal representative" means the same as a person authorized to consent on the principal's behalf under § 20-6-102;

~~(4)~~(5) "Patient" means an individual who has a critical medical condition or a terminal illness and for whom a physician has determined that a physician order for life-sustaining treatment is consistent with the individual's goals of care;

~~(5)~~(6) "Physician" means an individual who is licensed to practice medicine or osteopathic medicine in this state; ~~and~~

(7) "Physician assistant" means a physician assistant licensed to practice in this state by the Arkansas State Medical Board;

~~(6)~~(8) "Physician order for life-sustaining treatment" means a document containing orders by a physician regarding life-sustaining treatment and medical interventions in accordance with the wishes of a patient, or if the wishes of the patient are not reasonably known and cannot with reasonable diligence be ascertained, in accordance with the best interest of the patient; and

(9) "Supervising healthcare provider" means a licensed physician or other authorized independent healthcare provider who has undertaken primary responsibility for the health care of an individual.

SECTION 2. Arkansas Code § 20-6-304(a)(1)(B), concerning the form for

physician orders for life-sustaining treatment, is amended to read as follows:

(B) The physician, physician assistant, or advanced practice registered nurse who is serving as the supervising healthcare provider of the patient;