

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Boozman

A Bill

SENATE BILL 382

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §20-17-203 TO
9 PROVIDE THAT NUTRITION AND HYDRATION MAY NOT BE DENIED A
10 PATIENT UNDER THE PROVISIONS OF THE _ARKANSAS RIGHTS OF
11 THE TERMINALLY ILL OR PERMANENTLY UNCONSCIOUS ACT_ IF
12 DEATH WOULD RESULT FROM STARVATION OR DEHYDRATION; AND FOR
13 OTHER PURPOSES."

Subtitle

16 "TO PROVIDE THAT NUTRITION AND HYDRATION
17 MAY NOT BE DENIED A PATIENT UNDER THE
18 _ARKANSAS RIGHTS OF THE TERMINALLY ILL
19 OR PERMANENTLY UNCONSCIOUS ACT_ IF DEATH
20 WOULD RESULT FROM STARVATION OR
21 DEHYDRATION"

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

26 SECTION 1. Arkansas Code Annotated 20-17-203 is amended to read as follows:

27 "20-17-203. When declaration operative.

28 A declaration becomes operative when (i) it is communicated to the
29 attending physician and (ii) the declarant is determined by the attending
30 physician and another physician in consultation to be in a terminal condition
31 and no longer able to make decisions regarding administration of
32 life-sustaining treatment. When the declaration becomes operative, the
33 attending physician and other health care providers shall act in accordance
34 with its provisions or comply with the transfer provisions of § 20-17-207.
35 However, no attending physician or other health care provider shall deny a

1 patient nutrition or hydration pursuant to a properly executed declaration if
2 the denial of nutrition or hydration would result in the death of the patient
3 by starvation or dehydration."
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5 SECTION 2. All provisions of this act of a general and permanent
6 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
7 Code Revision Commission shall incorporate the same in the Code.
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9 SECTION 3. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.
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15 SECTION 4. All laws and parts of laws in conflict with this act are
16 hereby repealed.
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