

State of Arkansas

As Engrossed: H2/3/99 H2/8/99

82nd General Assembly

A Bill

Regular Session, 1999

HOUSE BILL 1298

By: Representative J. Jeffress

For An Act To Be Entitled

"AN ACT TO CREATE THE CRIMINAL OFFENSE OF PHYSICIAN ASSISTED SUICIDE; TO PRESCRIBE PENALTIES; AND FOR OTHER PURPOSES. "

Subtitle

"TO CREATE THE CRIMINAL OFFENSE OF PHYSICIAN ASSISTED SUICIDE; TO PRESCRIBE PENALTIES. "

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

SECTION 1. (a) For purposes of this act, "physician assisted suicide" means a physician or health care provider participating in a medical procedure or willfully prescribing any drug, compound or substance for the express purpose of assisting the patient to intentionally end his or her life; provided, however, this term shall not apply to a person participating in the execution of a person sentenced by a court to death by lethal injection.

(b)(1) It shall be unlawful for any physician or health care provider to commit the offense of physician assisted suicide by prescribing any drug, compound or substance to a patient with the express purpose of assisting the patient to intentionally end his or her life.

(2) It shall be unlawful for any physician or health care provider to commit the offense of physician assisted suicide by assisting in any medical procedure for the express purpose of assisting the patient to intentionally end his or her life.

(c) Any physician or health care provider violating the provisions of subsection (b) of this section shall be deemed guilty of a Class C felony.

(d) Nothing in this act shall prohibit physicians or health care providers from carrying out Advanced Directives or Living Wills, nor shall this act prohibit physicians from prescribing any drug, compound or substance for the specific purpose of *pain relief*.

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

/s/ J. Jeffress