

# Legislative Analysis



## PROCEDURES TO WITHHOLD OR WITHDRAW LIFE-SUSTAINING TREATMENT

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5076 as introduced**  
**Sponsor: Rep. Jeffrey R. Noble**  
**Committee: Families, Children, and Seniors**  
**Complete to 11-8-17**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 5076 would amend the Public Health Code to prohibit a physician from issuing a written or oral medical order to withhold or withdraw life-sustaining treatment from a patient, or to not resuscitate a patient, without first obtaining consent from one of the following:

- The patient.
- If the patient is a minor, his or her parent.
- If the patient has designated a patient advocate and is unable to participate in medical treatment decisions, the patient advocate.
- If the patient is a ward with an appointed guardian, the guardian.

The bill would also amend the Code to prohibit a health facility or agency from implementing a medical order to withhold or withdraw life-sustaining treatment from a patient or resident, or to not resuscitate a patient or resident, without first obtaining consent from one of the following:

- The patient or resident.
- If the patient or resident is a minor or ward, his or her parent or legal guardian.
- If the patient or resident has designated a patient advocate and is unable to participate in medical treatment decisions, the patient advocate.

The bill would define “life-sustaining treatment” to mean a medical procedure, medication, hydration, or nutrition that, if withheld or withdrawn, would in a physician’s reasonable medical judgment directly result in or intentionally hasten an individual’s death.

The bill would take effect 90 days after its enactment into law.

Proposed MCL 333.17019 et al.

### FISCAL IMPACT:

House Bill 5076 does not appear as though it will have any significant fiscal impact on any units of state or local government.

Legislative Analyst: E. Best  
Fiscal Analyst: Marcus Coffin

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