

Regular Session, 2014

HOUSE BILL NO. 1274 (Substitute for House Bill No. 348 by Representative Badon)

BY REPRESENTATIVE BADON

HEALTH SERVICES: Provides relative to life-sustaining procedures for pregnant women

1 AN ACT

2 To amend and reenact R.S. 40:1299.58.10(E) and 1299.64.6(D), relative to life-sustaining
3 procedures; to require interpretations of the provisions of law regarding declarations
4 concerning life-sustaining procedures be made to preserve the life of an unborn
5 child; to require interpretations of the provisions of law regarding physician orders
6 for scope of treatment be made to preserve the life of an unborn child; to provide for
7 an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:1299.58.10(E) and 1299.64.6(D) are hereby amended and
10 reenacted to read as follows:

11 §1299.58.10. General application

12 * * *

13 E. It is the policy of the state of Louisiana that human life is of the highest
14 and inestimable value through natural death. When interpreting this Part, any
15 ambiguity shall be interpreted to preserve human life, including the life of an unborn
16 child if the qualified patient is pregnant and an obstetrician who examines the
17 woman determines that the pregnant woman's life can reasonably be maintained in
18 such a way as to permit the continuing development and live birth of the unborn
19 child.

20 * * *

1 §1299.64.6. General application

2 * * *

3 D. It is the policy of the state of Louisiana that human life is of the highest
4 and inestimable value through natural death. When interpreting this Part, any
5 ambiguity shall be interpreted to preserve human life, including the life of an unborn
6 child if the qualified patient is pregnant and an obstetrician who examines the
7 woman determines that the pregnant woman's life can reasonably be maintained in
8 such a way as to permit the continuing development and live birth of the unborn
9 child.

10 Section 2. This Act shall become effective upon signature by the governor or, if not
11 signed by the governor, upon expiration of the time for bills to become law without signature
12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
14 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Badon

HB No. 1274

Abstract: Requires interpretations of the provisions of law regarding declarations concerning life-sustaining procedures and physician orders for scope of treatment be made to preserve the life of an unborn child.

Present law requires ambiguities in the provisions of law regarding declarations concerning life-sustaining procedures be interpreted to preserve human life.

Proposed law retains present law and further requires interpretations be made to preserve the life of an unborn child if the qualified patient is pregnant and an obstetrician who examines the woman determines that the pregnant woman's life can reasonably be maintained in such a way as to permit the continuing development and live birth of the unborn child.

Present law requires ambiguities in the provisions of law regarding physician orders for scope of treatment be interpreted to preserve human life.

Proposed law retains present law and further requires interpretations be made to preserve the life of an unborn child if the qualified patient is pregnant and an obstetrician who examines the woman determines that the pregnant woman's life can reasonably be maintained in such a way as to permit the continuing development and live birth of the unborn child.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:1299.58.10(E) and 1299.64.6(D))