



**Senate Fiscal Agency**  
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BILL ANALYSIS



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Senate Bill 452 (Substitute S-1 as reported by the Committee of the Whole)  
Sponsor: Senator John J. H. Schwarz, M.D.  
Committee: Health Policy and Senior Citizens

### **CONTENT**

The bill would create the "Michigan Do-Not-Resuscitate Procedure Act" to allow a person to execute a do-not-resuscitate order under certain circumstances; forbid certain health professionals from attempting to resuscitate a person who had no vital signs, if the health professional were provided with a do-not-resuscitate order or determined that the person was wearing a do-not-resuscitate bracelet; provide for revocation of an order; provide an exemption from criminal or civil liability for withholding medical treatment; and place certain restrictions on insurers.

Under the bill, a do-not-resuscitate order would be a document (executed pursuant to the bill) directing that, in the event that a patient (the declarant) suffered cessation of both spontaneous respiration and circulation in a setting outside of a hospital, nursing home, or a facility run by the Department of Mental Health, no resuscitation would be initiated.

The bill would allow a person 18 years old or older, of sound mind, to execute a do-not-resuscitate order on his or her own behalf. Further, a patient advocate (an individual designated to make medical treatment decisions for a patient under the provisions of the Revised Probate Code) of a person 18 years old or older, could execute a do-not-resuscitate order on behalf of the person. The order would have to be dated and executed voluntarily, and would remain in effect until it was revoked by the declarant. The order would have to be signed by the declarant or another person acting pursuant to the directions of the declarant in his or her presence; the declarant's attending physician; and two witnesses who were 18 years old or older, at least one of whom was not the declarant's spouse, parent, child, grandchild, sibling, or presumptive heir. When an order was signed and witnessed, the declarant or his or her designee could apply a do-not-resuscitate identification bracelet to the declarant's wrist. A declarant would have to maintain possession of the order and have it accessible. An order would have to include but not be limited to the language of, and read substantially as, an order prescribed in the bill.

Legislative Analyst: G. Towne

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 2-14-96

Fiscal Analyst: P. Graham

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.