

Senate Bill 104

By: Senators Payne of the 54th, Stone of the 23rd, Karinshak of the 48th, Albers of the 56th, Miller of the 49th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 39 of Title 31 of the Official Code of Georgia Annotated, relating to
2 cardiopulmonary resuscitation, so as to revise parental requirement for consent; to revise a
3 definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Chapter 39 of Title 31 of the Official Code of Georgia Annotated, relating to
7 cardiopulmonary resuscitation, is amended in Code Section 31-39-2, relating to definitions,
8 by revising paragraph (10) to read as follows:

9 "(10) 'Parent' means a ~~parent who has custody of a minor or is the parent of~~ biological
10 parent, legal guardian, custodian, or other person with legal authority to act on behalf of
11 either a minor or an adult without decision-making capacity."

12 **SECTION 2.**

13 Said chapter is further amended in Code Section 31-39-4, relating to persons authorized to
14 issue order not to resuscitate, by revising subsection (d) as follows:

15 "~~(d) Any parent may consent orally or in writing to an order not to resuscitate for his or her~~
16 ~~minor child when such child is a candidate for nonresuscitation.~~ When a minor child is a
17 candidate for nonresuscitation, an order not to resuscitate may be issued only with the oral
18 or written consent of the minor's parent, unless an exception applies pursuant to
19 subsection (e) of this Code section. If in the opinion of the attending physician the minor
20 is of sufficient maturity to understand the nature and effect of an order not to resuscitate,
21 then no such order shall be valid without the assent of such minor."

22 **SECTION 3.**

23 All laws and parts of laws in conflict with this Act are repealed.