

**HOUSE . . . . . No. 3763**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Sally P. Kerans, (BY REQUEST)***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

**An Act relative to healthcare proxy information.**

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Howard Caras</i>	<i>41 Hampshire Rd Peabody MA 01960</i>	<i>1/19/2023</i>

**HOUSE . . . . . No. 3763**

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By Representative Kerans of Danvers (by request), a petition (accompanied by bill, House, No. 3763) of Howard Caras relative to healthcare proxy information. The Judiciary.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act relative to healthcare proxy information.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 70 of chapter 111 of the General Laws, as appearing in the 2020  
2 Official Edition, is hereby amended by striking out the second sentence and inserting in place  
3 thereof the following sentence:- These records shall be kept by secure, electronic digital media or  
4 converted to electronic digital media as originally created by such hospital or clinic, by the  
5 photographic or microphotographic process, or any combination thereof.

6           SECTION 2. Section 5 of chapter 201D of the General Laws, as so appearing, is hereby  
7 amended by striking out the fifth paragraph and inserting in place thereof the following 3  
8 paragraphs:-

9           An attending physician who is provided with a health care proxy shall arrange for the  
10 proxy or a copy thereof to be inserted electronically, in the same manner as a do not resuscitate  
11 order, in the principal's medical record.

12           A facility shall transport a principal's health care proxy in the same manner used to  
13 transport a do not resuscitate order. The facility shall notify the health care agent, using contact  
14 information provided by the principal, by telephone and email that the health care agent's  
15 authority has begun.

16           An attending physician shall grant a request by a principal to involve the health care  
17 agent in discussions of health care with the attending physician.