

HOUSE BILL NO. HB0148

Assisted suicide ban.

Sponsored by: Representative(s) Brechtel, Burkhardt, Harshman and Peasley and Senator(s) Peterson

A BILL

for

1 AN ACT relating to crimes and offenses; creating the crime
2 of assisting suicide; providing a penalty; providing
3 exceptions; limiting health care directives; and providing
4 for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 6-2-701 is created to read:

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ARTICLE 7

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ASSISTING SUICIDE

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13 **6-2-701. Assisting suicide.**

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15 (a) A person who has knowledge that another person
16 intends to commit or attempt to commit suicide and who does

1 either of the following with the intention of enabling or
2 facilitating the suicide commits the offense of assisting
3 suicide:

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5 (i) Provides the physical means by which the
6 other person attempts or commits suicide;

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8 (ii) Participates in a physical act by which the
9 other person attempts to commit or commits suicide.

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11 (b) Assisting suicide is a felony punishable by
12 imprisonment in the penitentiary for not more than twenty
13 (20) years.

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15 (c) This section does not apply to:

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17 (i) A licensed health care provider who
18 administers, prescribes or dispenses medications or
19 procedures to relieve a person's pain or discomfort, even
20 if the medication or procedure may hasten or increase the
21 risk of death, unless the medications or procedures are
22 intended to cause death;

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1 (ii) The withholding or withdrawing of medical
2 treatment or life-prolonging procedures by a licensed
3 health care provider, pursuant to but not limited to a
4 cardiopulmonary resuscitation directive authorized under
5 W.S. 35-22-201 through 35-22-208, a psychiatric advance
6 directive authorized under W.S. 35-22-301 through 35-22-308
7 or an advanced health care directive authorized under W.S.
8 35-22-401 through 35-22-416, but not including the
9 withdrawal of artificial nutrition and hydration;

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11 (iii) Participation in the execution of a person
12 sentenced by a court to death.

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14 **Section 2.** W.S. 35-22-402(a)(ix)(C), 35-22-410(a)(i)
15 and 35-22-414(c) are amended to read:

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17 **35-22-402. Definitions.**

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19 (a) As used in this act:

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21 (ix) "Health care decision" means a decision
22 made by an individual or the individual's agent, guardian,
23 or surrogate, regarding the individual's health care,
24 including:

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35-22-410. Immunities.

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35-22-414. Effect of act.

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(C) Directions to provide, withhold or withdraw ~~artificial nutrition and hydration and all other~~ forms of health care other than artificial nutrition and hydration.

(a) A health care provider or institution acting in good faith and in accordance with generally accepted health care standards applicable to the health care provider or institution is not subject to civil or criminal liability or to discipline for:

(i) Complying with a health care decision of a person apparently having authority to make a health care decision for a patient, including a decision to withhold or withdraw health care but not including the withholding or withdrawal of artificial nutrition and hydration;

1 or withdrawal of health care, to the extent prohibited by
2 other statutes of this state including W.S. 6-2-701.

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4 **Section 3.** This act is effective July 1, 2011.

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(END)