

HOUSE No. 1456

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to health care proxies..

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 4 of chapter 201D, as appearing in the 2006 Official Edition, is
2 hereby amended by inserting, in line 6, after the word “authority”, the following:— including but
3 not limited to any express direction the principal wishes to impose upon the agent

4 SECTION 2. Section 5 of said chapter 201D, as so appearing, is hereby amended by
5 striking the sentence, in lines 1 through 4, inclusive, “An agent shall have the authority to make
6 any and all health care decisions on the principal's behalf that the principal could make,
7 including decisions about life-sustaining treatment, subject, however, to any express limitations
8 in the health care proxy.” and inserting in place thereof the following sentence:-

9 An agent shall have the authority to make any and all health care decisions on the
10 principal's behalf that the principal could make, including decisions about life-sustaining
11 treatment, subject, however, to any express limitations or directives in the health care proxy,
12 which shall be binding upon the agent.