

**HOUSE . . . . . No. 1539****The Commonwealth of Massachusetts**

PRESENTED BY:

***Danielle W. Gregoire***

*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 determining capacity and invoking the health care proxy.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>1/20/2023</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>	<i>1/31/2023</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>2/1/2023</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>2/1/2023</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>2/9/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/9/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/15/2023</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>2/15/2023</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>3/15/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>3/15/2023</i>
<i>Jennifer Balinsky Armini</i>	<i>8th Essex</i>	<i>3/15/2023</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>3/15/2023</i>
<i>Rodney M. Elliott</i>	<i>16th Middlesex</i>	<i>4/3/2023</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>4/18/2023</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>	<i>7/24/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>11/14/2023</i>

# HOUSE . . . . . No. 1539

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By Representative Gregoire of Marlborough, a petition (accompanied by bill, House, No. 1539) of Danielle W. Gregoire and others relative to health care proxies. The Judiciary.

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## The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Ninety-Third General Court  
(2023-2024)  
\_\_\_\_\_

An Act relative to determining capacity and invoking the health care proxy.

*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 1 of chapter 201D of the General Laws, as appearing in the 2020  
2   Official Edition, shall be amended by inserting after the definition of “Attending physician” the  
3   following definition:-

4           “Attending nurse practitioner”, the nurse practitioner who is authorized to practice as  
5   such under regulations promulgated pursuant to section 80B of chapter 112, selected by or  
6   assigned to a patient, who has primary responsibility for the treatment and care of the patient, in  
7   whatever setting medical diagnosis or treatment is rendered. Where more than one nurse  
8   practitioner shares such responsibility, any such nurse practitioner may act as the attending nurse  
9   practitioner.

10          SECTION 2. Section 5 of said chapter 201D shall be amended by inserting after the word  
11   “physician”, in line 23, the following words:- or nurse practitioner.

12           SECTION 3. Section 6 of said chapter 201D shall be amended by inserting after the  
13 words “attending physician”, in lines 4 through 5, 7, 11, 12 through 13, and 36, each time they  
14 appear, the following words:- or attending nurse practitioner.

15           SECTION 4. Said section 6 of said chapter 201D shall be further amended by inserting  
16 after the word “physician”, in line 17, the following words:- or nurse practitioner.

17           SECTION 5. Section 7 of said chapter 201D shall be amended by inserting after the word  
18 “physician”, in lines 11 and 14, each time it appears, the following words:- or nurse practitioner.

19           SECTION 6. Said section 7 of said chapter 201D shall be further amended by inserting  
20 after the words “attending physician”, in lines 17 through 18, the following words:- or attending  
21 nurse practitioner.

22           SECTION 7. Section 13 of said chapter 201D shall be amended by inserting after the  
23 words “attending physician”, in line 2, the following words:- or attending nurse practitioner.

24           SECTION 8. Section 14 of said chapter 201D shall be amended by inserting after the  
25 word “physician”, in lines 2 through 3, 6, 7, 9, 10, and 13 through 14, each time it appears, the  
26 following words:- or nurse practitioner.