

HOUSE No. 1816

The Commonwealth of Massachusetts

PRESENTED BY:

Sally P. Kerans

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 health care proxy storage and activation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>1/15/2025</i>

HOUSE No. 1816

By Representative Kerans of Danvers, a petition (accompanied by bill, House, No. 1816) of Sally P. Kerans relative to healthcare proxy information. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3763 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to health care proxy storage and activation.

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.