

Senate Engrossed

State of Arizona  
Senate  
Forty-fifth Legislature  
First Regular Session  
2001

CHAPTER 158

# SENATE BILL 1323

AN ACT

AMENDING SECTION 36-3251, ARIZONA REVISED STATUTES; RELATING TO PREHOSPITAL  
MEDICAL CARE DIRECTIVES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-3251, Arizona Revised Statutes, is amended to  
3 read:

4 36-3251. Prehospital medical care directives; form; effect;  
5 definition

6 A. Notwithstanding any law or a health care directive to the contrary,  
7 a person may execute a prehospital medical care directive that, in the event  
8 of cardiac or respiratory arrest, directs the withholding of cardiopulmonary  
9 resuscitation by emergency medical system and hospital emergency department  
10 personnel. For the purposes of this article, "cardiopulmonary resuscitation"  
11 ~~shall include~~ INCLUDES cardiac compression, endotracheal intubation and other  
12 advanced airway management, artificial ventilation, defibrillation,  
13 administration of advanced cardiac life support drugs and related emergency  
14 medical procedures. Authorization for the withholding of cardiopulmonary  
15 resuscitation does not include the withholding of other medical  
16 interventions, such as intravenous fluids, oxygen or other therapies deemed  
17 necessary to provide comfort care or to alleviate pain.

18 B. A prehospital medical care directive shall be printed on an orange  
19 background and may be used in either letter or wallet size. The directive  
20 shall be in the following form:

21 Prehospital Medical Care Directive

22 (side one)

23 In the event of cardiac or respiratory arrest, I refuse  
24 any resuscitation measures including cardiac compression,  
25 endotracheal intubation and other advanced airway management,  
26 artificial ventilation, defibrillation, administration of  
27 advanced cardiac life support drugs and related emergency  
28 medical procedures.

29 Patient: \_\_\_\_\_ date: \_\_\_\_\_

30 (Signature or mark)

31 Attach recent photograph here or provide all of the  
32 following information below:

33 Date of birth \_\_\_\_\_ sex \_\_\_\_\_

34 Eye color \_\_\_\_\_ hair color \_\_\_\_\_ race \_\_\_\_\_

35 Hospice program (if any) \_\_\_\_\_

36 Name and telephone number of patient's physician \_\_\_\_\_  
37 \_\_\_\_\_

38 (side two)

39 I have explained this form and its consequences to the  
40 signer and obtained assurance that the signer understands that  
41 death may result from any refused care listed above.

42 \_\_\_\_\_ date \_\_\_\_\_

43 (Licensed health care provider)

1 I was present when this was signed (or marked). The  
2 patient then appeared to be of sound mind and free from duress.

3 \_\_\_\_\_ date \_\_\_\_\_

4 (Witness)

5 C. A person who has a valid prehospital medical care directive  
6 pursuant to this section may wear an identifying bracelet on either the wrist  
7 or the ankle. The bracelet shall be substantially similar to identification  
8 bracelets worn in hospitals. The bracelet shall be on an orange background  
9 and state the following in bold type:

10 Do Not Resuscitate

11 Patient: \_\_\_\_\_

12 Patient's physician: \_\_\_\_\_

13 D. If the person has designated an agent to make health care decisions  
14 under section 36-3221 or has been appointed a guardian for health care  
15 decisions pursuant to title 14, that agent or guardian shall sign if the  
16 person is no longer competent to do so.

17 E. A prehospital medical care directive is effective until it is  
18 revoked or superseded by a new document.

19 F. Emergency medical system and hospital emergency department  
20 personnel who make a good faith effort to identify the patient and who rely  
21 on an apparently genuine directive or A photocopy thereof OF A DIRECTIVE on  
22 orange paper are immune from liability to the same extent and under the same  
23 conditions as prescribed in section 36-3205. If a person has any doubt as  
24 to the validity of a directive or the medical situation, that person shall  
25 proceed with resuscitative efforts as otherwise required by law. Emergency  
26 medical system personnel are not required to accept or interpret medical care  
27 directives that do not meet the requirements of this section.

28 G. In the absence of a physician, a person without vital signs who is  
29 not resuscitated pursuant to a prehospital medical care directive may be  
30 pronounced dead by any peace officer of this state, a professional nurse  
31 licensed pursuant to title 32, chapter 15 or an emergency medical technician  
32 certified pursuant to this title.

33 H. This section does not apply to situations involving mass casualties  
34 OR TO MEDICAL EMERGENCIES INVOLVING CHILDREN AND DISABLED ADULTS IN PUBLIC  
35 OR PRIVATE SCHOOLS THAT ARE NOT LICENSED HEALTH CARE INSTITUTIONS AS DEFINED  
36 IN SECTION 36-401.

37 I. After being notified of a death by emergency medical system  
38 personnel, the person's physician or the county medical examiner is then  
39 responsible for signing the death certificate.

40 J. The office of emergency medical services in the department of  
41 health services shall print prehospital medical care directive forms and make  
42 them available to the public. The department may charge a fee that covers  
43 the department's costs to prepare the form. The department and its employees  
44 are immune from civil liability for issuing prehospital medical care  
45 directive forms that meet the requirements of this section. A person may use

1 a form that is not prepared by the department of health services if that form  
2 meets the requirements of this section. If an organization distributes a  
3 prehospital medical care directive form that meets the requirements of this  
4 section, that organization and its employees are also immune from civil  
5 liability.

6 K. Any prehospital medical care directive prepared before April 24,  
7 1994 is valid if it was valid at the time it was prepared.

8 L. For the purposes of this section, "emergency medical system  
9 personnel" includes emergency medical technicians at all levels who are  
10 certified by the department of health services and medical personnel who are  
11 licensed by this state and who are operating outside of an acute care  
12 hospital under the direction of an emergency medical system agency recognized  
13 by the department of health services.

**APPROVED BY THE GOVERNOR APRIL 19, 2001.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 20, 2001.**

Passed the House April 16, 2001,

by the following vote: 49 Ayes,

7 Nays, 4 Not Voting



Speaker of the House

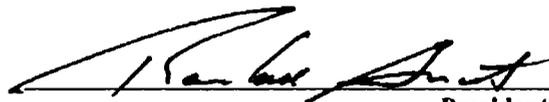


Chief Clerk of the House

Passed the Senate March 5, 2001,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting



President of the Senate



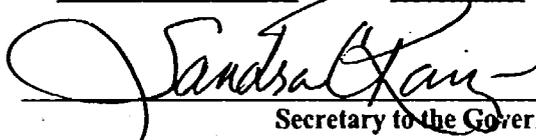
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

16 day of April, 2001,

at 4:53 o'clock P M.



Secretary to the Governor

Approved this 19 day of

April, 2001,

at 2:20 o'clock P M.



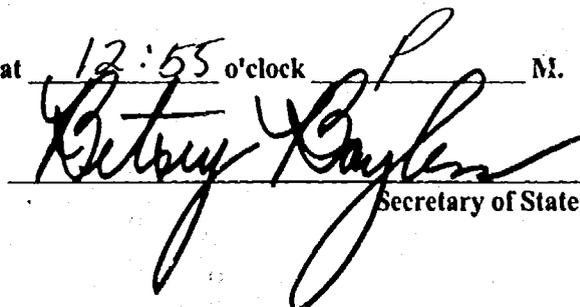
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 20 day of April, 2001,

at 12:55 o'clock P M.



Secretary of State

S.B. 1323