

6/1/20

17 (1)

91 LSO 0373

# HOUSE BILL 0096.

HOUSE BILL 0096

1

HB0096FT03

AN ACT to amend W.S. 35-22-101(a)(iii) and 35-22-102 by creating a new subsection (e) relating to living wills; modifying the definition of life-sustaining procedure as specified; requiring declaration concerning life-sustaining procedures to include specified notice; and providing for an effective date.

*Frank Prevorsek*

Introduced by: *Carol J. O'Connor* *John Barker*  
*John Minton* *Terry L. Guine* *W. B. Taylor* *By Anne*

DATE	ACTION	DATE	ACTION
JAN 6 1991	READ FIRST TIME	FEB 5 1991	RECOMMEND AMEND AND DO PASS
	REFERRED TO COM. NO. _____	FEB 7 1991	CONSIDERED IN COM. OF WHOLE
	DELIVERED TO COM. NO. _____		STANDING COM. AMDT. ADOPTED
JAN 14 1991	RETURNED		<i>HB0096551/AE</i>
	Recommended Amend and Do Pass 9 AYES		DO PASS
JAN 19 1991	CONSIDERED IN COM. OF WHOLE	FEB 8 1991	READ SECOND TIME
	Standing Com. Amendment HB 96 H51/A		DO PASS
	Adopted	FEB 11 1991	READ THIRD TIME
	Recommended to _____		CONSENT LIST
JAN 16 1991	READ SECOND TIME		PASSED
	Amended as follows HB 96 H21/A		YES 26 NOES 4 EXCUSED 0 ABSENT 0
	Adopted		Sent to LSO Sent to House
JAN 17 1991	READ THIRD TIME	FEB 19 1991	RECEIVED FROM SENATE
	Amended as follows HB0096H31/A		Rep. Vlastos moved to consult on Senate Amendments
	Adopted		PASSED
	<del>PROROGED</del>		36 Ayes 28 Noes 0 Absent 0
	58 Ayes 6 Excused		SENT TO LSO FOR ENROLLING
	Sent to LSO		RECEIVED FROM LSO ENCLAVE
1-18-91	ENGROSSED		FEA NO. 35
01-18-91	<i>Sent to House</i>	FEB 13 1991	SIGNED BY SPEAKER
JAN 18 1991	Received from House		SIGNED BY PRESIDENT
	Read first time	FEB 20 1991	APPROVED BY GOVERNOR
	Referred to Com. No. _____		CHAPTER NO. 48, SESSION LAWS OF WYOMING
	Delivered to Com. No. _____		
FEB 8 1991	STANDING COMM. REPORT		

CONTINUED ON BACK

# H8 96 3rd Date 2-11-91

# SENATE ROLL CALL

## FIFTY-FIRST WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent
APPLEGATE	✓			
BURKE		✓		
BYRD	✓			
CAMERON	✓			
COE	✓			
DIXON	✓			
EDDINS	✓			
FANOS	✓			
GERINGER	✓			
GRIEVE	✓			
GUICE	✓			
HEALY	✓			
HERBST	✓			
HOWARD	✓			
KINNEY	✓			
KINNISON	✓			
LALONDE	✓			
MADER	✓			
MALDONADO	✓			
PECK	✓			
PERRY	✓			
PREVEDEL	✓			
REESE		✓		
SCOTT	✓			
<del>TRIE</del>				
TWIFORD	✓			
VINICH		✓		
YORDY	✓			
ZIMMER	✓			
ZIMMERMAN	✓			
MR. PRESIDENT		✓		

PRESENT \_\_\_\_\_ AYES 26  
 NOES 4  
 EXCUSED \_\_\_\_\_  
 ABSENT \_\_\_\_\_  
 TOTAL 30

# 91394 *Bill Clinton moved* D. Connor Date 8/13/91

# HOUSE ROLL CALL

## FIFTY-FIRST WYOMING LEGISLATURE

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent		
	✓			ALDEN		✓			MICHELI	
✓				ANDERSON	✓				MILLER	
✓				ARNOLD		✓			O'TOOLE	
	✓			BEBOUT		✓			PERKINS, D.	
	✓			BENSEL	✓				PERKINS, J.	
	✓			BLACKWELL		✓			PHELAN	
✓				BODINE	✓				PLANT	
✓				BOWRON	✓				RANKINE	
	✓			BUDD		✓			RATLIFF	
	✓			CALL	✓				ROHRBACH	
	✓			CHAMBERLAIN	✓				RYCKMAN	
				CROSS		✓			SCHWOPE	
✓				CUBIN	✓				SHREVE	
✓				DEWITT		✓			SIMONS	
	✓			DUNNUCK		✓			SULLIVAN	
	✓			ENZI		✓			TEMPEST	
✓				GAMS	✓	✗			TIBBS	
	✓			GARCIA	✓				TIPPETS	
✓				GOODENOUGH	✓				TIPTON	
	✓			GRANT	✓				TYSDAL	
	✓			HACKER		✓			VASEY	
✓				HAGEMAN	✓				VLASTOS	
	✓			HANSEN	✓				WALLIS	
✓				HARRIS	✓				WATSON	
	✓			HARRISON, F.	✓				WOLD	
✓				HARRISON, R.	✓				WOLFLEY	
✗	✓			HINCHEY	✓				WRIGHT	
✓				HINES		✓			ZUMBRUNNEN	
✓				HONAKER	✓				MR. SPEAKER	
✓				HUMPHREY	AYES <u>36</u> NOES <u>28</u> EXCUSED _____ ABSENT _____ TOTAL <u>64</u> LESS <u>36</u>					PRESENT _____
	✓			KUNZ						
✓				LAW						
✓				LUMMIS						
✓				MACMILLAN, P.						
✓				MARTON						
	✓			MCMILLAN, B.						

# 9696 Shed Rader Date 1/17/91

# HOUSE ROLL CALL

## FIFTY-FIRST WYOMING LEGISLATURE

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent		
✓				ALDEN		✓			MICHELI	
✓				ANDERSON	✓				MILLER	
✓				ARNOLD	✓				O'TOOLE	
✓				BEBOUT	<del>NO</del>	✓			PERKINS, D.	
✓				BENSEL	✓				PERKINS, J.	
✓				BLACKWELL	✓				PHELAN	
✓				BODINE	✓				PLANT	
✓				BOWRON	✓				RANKINE	
	✓			BUDD	✓				RATLIFF	
✓				CALL	✓				ROHRBACH	
✓				CHAMBERLAIN	✓				RYCKMAN	
				GROSS		✓			SCHWOPE	
✓				CUBIN	✓				SHREVE	
✓				DEWITT	✓				SIMONS	
✓				DUNNUCK	✓				SULLIVAN	
✓				ENZI	✓				TEMPEST	
	✓			GAMS	✓				TIBBS	
✓				GARCIA	✓				TIPPETS	
✓				GOODENOUGH	✓				TIPTON	
	✓			GRANT	✓				TYSDAL	
✓				HACKER	✓				VASEY	
✓				HAGEMAN	✓				VLASTOS	
✓				HANSEN	✓				WALLIS	
✓				HARRIS	✓				WATSON	
✓				HARRISON, F.	✓				WOLD	
✓				HARRISON, R.	✓				WOLFLEY	
✓				HINCHEY	✓				WRIGHT	
✓				HINES	✓				ZUMBRUNNEN	
✓				HONAKER	✓				MR. SPEAKER	
✓				HUMPHREY	AYES <u>58</u> NOES <u>6</u> EXCUSED _____ ABSENT _____ TOTAL <u>64</u> LESS <u>6</u>					PRESENT _____
✓				KUNZ						
✓				LAW						
✓				LUMMIS						
✓				MACMILLAN, P.						
✓				MARTON						
✓				MCMILLAN, B.						

HB0096SS1/ AE TO ENGROSSED COPY

- ✓ Page 1-line 1 After "(iii)" insert "and 35-22-102 by creating a new subsection (e)".
- ✓ Page 1-line 3 After ";" insert "requiring declaration concerning life-sustaining procedures to include specified notice;".
- ✓ Page 1-line 5 Delete "is" insert "and 35-22-102 by creating a new subsection (e) are".
- ✓ Page 2-After line 9 insert:

"35-22-102. Declaration concerning life-sustaining procedures in terminal condition.

(e) IN ADDITION TO SUBSECTION (d) OF THIS SECTION, THE DECLARATION SHALL CONTAIN THE FOLLOWING NOTICE AND NO PERSON SHALL DISTRIBUTE OR OTHERWISE MAKE THE DECLARATION AVAILABLE UNLESS IT CONTAINS THE FOLLOWING NOTICE:

NOTICE

THIS DOCUMENT HAS SIGNIFICANT MEDICAL, LEGAL AND POSSIBLE ETHICAL IMPLICATIONS AND EFFECTS. BEFORE YOU SIGN THIS DOCUMENT, YOU SHOULD BECOME COMPLETELY FAMILIAR WITH THESE IMPLICATIONS AND EFFECTS. THE OPERATION, EFFECTS AND IMPLICATIONS OF THIS DOCUMENT MAY BE DISCUSSED WITH A PHYSICIAN, A LAWYER AND A CLERGYMAN OF YOUR CHOICE.".

PERRY, CHAIRMAN

# THE LEGISLATURE OF THE STATE OF WYOMING

## Senate

Cheyenne, February 5, 1991, 19.....

Mr. President:

Your Committee No. 1 on Judiciary  
to whom was referred HB No. 96 ENGROSSED  
respectfully reports same back to the Senate with the recommendation that

DO PASS WITH THE FOLLOWING AMENDMENTS:

See Schedule A.

### Ayes

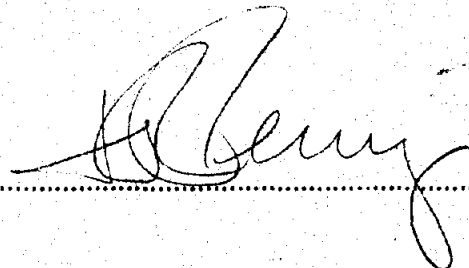
John Perry, Chairman  
Lisa F. Kinney  
Gary L. Yordy

### Noes

Michael J. Burke  
Robert J. Reese

HB00965511

Done



Chairman

ATTACHMENT A

Proposed ~~HB-0096661~~

Page 1, line 3: After the ";" insert "requiring forms of Living Wills to contain a notice as specified; ~~providing a penalty.~~"

Page 2, after line 9: Insert

~~3572b/10e~~ . REQUIRED NOTICE, ~~PENALTY.~~

~~NO~~ NO PERSON, AGENCY, OR ASSOCIATION OF PERSONS, MAY DISSEMINATE, DISTRIBUTE, OR OTHERWISE MAKE AVAILABLE, TO PERSONS WITHIN THIS STATE, A FORM OF A LIVING WILL UNLESS THE FORM CONTAINS, IN TYPE AT LEAST AS LARGE AS THE TEXT OF THE FORM OF LIVING WILL, THE FOLLOWING NOTICE:

NOTICE: THIS DOCUMENT HAS SIGNIFICANT MEDICAL, LEGAL AND POSSIBLE ETHICAL IMPLICATIONS AND EFFECTS. BEFORE YOU SIGN THIS DOCUMENT, YOU SHOULD BECOME COMPLETELY FAMILIAR WITH THESE IMPLICATIONS AND EFFECTS. THE OPERATION, EFFECTS AND IMPLICATIONS OF A LIVING WILL MAY BE DISCUSSED WITH A PHYSICIAN, A LAWYER AND/OR A CLERGYMAN OF YOUR CHOICE.

~~(b) VIOLATION OF THIS SECTION IS A MISDEMEANOR AND, UPON CONVICTION, MAY BE PUNISHED BY A FINE OF NOT MORE THAN \$750.00, IMPRISONMENT FOR NOT MORE THAN 6 MONTHS, OR BOTH SUCH FINE AND IMPRISONMENT.~~

House of Intro	Second House
_____ To Com. No. _____	_____ To Com No. _____
_____ Stand Report Do ___ Amd ___ Not ___	_____ Stand Report Do ___ Amd ___ Not ___
_____ Com Whole Do ___ Amd ___ Not ___	_____ Com Whole Do ___ Amd ___ Not ___
_____ 2nd Reading Amd _____	_____ 2nd Reading Amd _____
_____ 3rd Reading Amd ___ Pass ___ Fail ___	_____ 3rd Reading Amd ___ Pass ___ Fail ___

**ENGROSSED**

1991

STATE OF WYOMING

91LSO-0373.ENG

HOUSE BILL NO. 0096

Living wills-2.

Sponsored by: Representative(s) VLASTOS, SHREVE, MARTON,  
RANKINE and TIPTON and Senator(s) GUICE  
and PREVEDEL

A BILL

for

1 AN ACT to amend W.S. 35-22-101(a)(iii) relating to living  
2 wills; modifying the definition of life-sustaining proce-  
3 dure as specified; and providing for an effective date.

4 Be It Enacted by the Legislature of the State of Wyoming:

5 Section 1. W.S. 35-22-101(a)(iii) is amended to read:

6 35-22-101. Definitions.

7 (a) As used in this act:

8 (iii) "Life-sustaining procedure" means any med-  
9 ical procedure, ~~or~~ intervention OR NOURISHMENT BY ARTIFI-



13 (END)

SCHEDULE A

Page 1-lines 8 through 10 Delete.

Page 2-lines 1 through 6 Delete entirely and insert:

"(iii) "Life-sustaining procedure" means any medical procedure, ~~or~~ intervention OR NOURISHMENT which, ~~when-applied-to-a-qualified--patient,~~ would serve IN THE JUDGMENT OF THE ATTENDING PHYSICIAN only to prolong the dying process OF A QUALIFIED PATIENT and where in the judgment of the attending physician, death will occur whether or not the procedure or intervention is utilized. Life-sustaining procedure does not include the administration of ~~nourishment,~~ medication or the performance of any medical procedure deemed necessary to provide comfort, care or to alleviate pain;".

Page 2-Before line 7 Insert:

"Section 2. This act applies only to living wills executed after the effective date of this act.".

Page 2-line 7 Delete "2." insert "3.".

# THE LEGISLATURE OF THE STATE OF WYOMING

## House of Representatives

HB 0096 H51/

Cheyenne, January 11, 19 91

Mr. Speaker:

Your Committee No. 1 on JUDICIARY

to whom was referred HB No. 0096

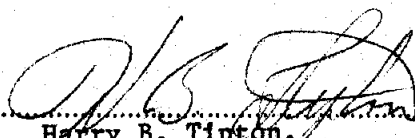
respectfully reports same back to the House with the recommendation that it

DO PASS with the following amendments:

See attached Schedule A.

AYESNOESEXCUSED

Anderson  
 Call  
 Goodenough  
 Harrison, Fred  
 Harrison, Ray  
 Honaker  
 Miller  
 Rohrbach  
 Tipton

  
 Harry B. Tipton,

Chairman

OW

1 HB0096HS1/A

HB 96

2 ✓ Page 1-lines 8 through 10 Delete.

3 ✓ Page 2-lines 1 through 6 Delete entirely and insert:

4 "(iii) "Life-sustaining procedure" means any  
5 medical procedure, or intervention OR NOURISHMENT which,  
6 ~~when-applied-to-a-qualified-patient,~~ would serve IN THE  
7 JUDGMENT OF THE ATTENDING PHYSICIAN only to prolong the  
8 dying process OF A QUALIFIED PATIENT and where in the judg-  
9 ment of the attending physician, death will occur whether or  
10 not the procedure or intervention is utilized. Life-  
11 sustaining procedure does not include the administration of  
12 ~~nourishment,~~ medication or the performance of any medical  
13 procedure deemed necessary to provide comfort care or to  
14 alleviate pain;".

by artificial  
means  
added by  
H 21/A

"  
deleted  
by  
H 31/A

15 ✓ Page 2-Before line 7 Insert:

16 "Section 2. This act applies only to living wills exe-  
17 cuted after the effective date of this act."

18 Page 2-line 7 Delete "2." insert "3.". TIPTON, CHAIRMAN **Adopted**

1 HB0096H21/A

2 ✓ Page 2-lines 1 through 6 In paragraph (iii) as amended by  
3 the standing committee amendment  
4 (HB0096HS1/A) after "NOURISHMENT" insert  
5 "BY ARTIFICIAL MEANS". HONAKER, MICHELI **Adopted**

1 ✓ HB0096H31/A

2 Page 2-lines 1 through 6 In paragraph (iii) as amended by  
3 the standing committee amendment  
4 (HB0096HS1/A), in the last sentence of the  
5 paragraph after "to provide comfort" delete  
6 "1". ALDEN **Adopted**

Dr. A

- Page 1-line 1 After "(iii)" insert "and 35-22-102 by creating a new subsection (e)".
- Page 1-line 3 After ";" insert "requiring declaration concerning life-sustaining procedures to include specified notice;".
- Page 1-line 5 Delete "is" insert "and 35-22-102 by creating a new subsection (e) are".

Page 2-After line 9 insert:

"35-22-102. Declaration concerning life-sustaining procedures in terminal condition.

(e) IN ADDITION TO SUBSECTION (d) OF THIS SECTION, THE DECLARATION SHALL CONTAIN THE FOLLOWING NOTICE AND NO PERSON SHALL DISTRIBUTE OR OTHERWISE MAKE THE DECLARATION AVAILABLE UNLESS IT CONTAINS THE FOLLOWING NOTICE:

NOTICE

THIS DOCUMENT HAS SIGNIFICANT MEDICAL, LEGAL AND POSSIBLE ETHICAL IMPLICATIONS AND EFFECTS. BEFORE YOU SIGN THIS DOCUMENT, YOU SHOULD BECOME COMPLETELY FAMILIAR WITH THESE IMPLICATIONS AND EFFECTS. THE OPERATION, EFFECTS AND IMPLICATIONS OF THIS DOCUMENT MAY BE DISCUSSED WITH A PHYSICIAN, A LAWYER AND A CLERGYMAN OF YOUR CHOICE.".  
PERRY, CHAIRMAN

*Dave*

## House of Intro

## Second House

To Com. No. \_\_\_\_\_

To Com No. \_\_\_\_\_

Stand Report Do Amd Not \_\_\_\_\_

Stand Report Do Amd Not \_\_\_\_\_

Com Whole Do Amd Not \_\_\_\_\_

Com Whole Do Amd Not \_\_\_\_\_

2nd Reading Amd \_\_\_\_\_

2nd Reading Amd \_\_\_\_\_

3rd Reading Amd Pass Fail \_\_\_\_\_

3rd Reading Amd Pass Fail \_\_\_\_\_

**INTRODUCED**

1991

STATE OF WYOMING

91LSO-0373.01

HOUSE BILL NO. 0096

Living wills-2.

Sponsored by: Representative(s) VLASTOS and SHREVE and  
 Senator(s) GUICE

## A BILL

for

1 AN ACT to amend W.S. 35-22-101(a)(iii) relating to living  
 2 wills; modifying the definition of life-sustaining proce-  
 3 dure as specified; and providing for an effective date.

4 Be It Enacted by the Legislature of the State of Wyoming:

5 Section 1. W.S. 35-22-101(a)(iii) is amended to read:

6 35-22-101. Definitions.

7 (a) As used in this act:

8 (iii) "Life-sustaining procedure" means any med-  
 9 ical procedure or intervention which, when applied to a  
 10 qualified patient, would serve only to prolong the dying

- 1 -

**NO SIGNIFICANT FISCAL OR  
 PERSONNEL IMPACT AT STATE LEVEL**

HB 96

1 process and where in the judgment of the attending physi-  
2 cian, death will occur whether or not the procedure or  
3 intervention is utilized. Life-sustaining procedure does  
4 not include the administration of ~~nourishment~~, medication  
5 or the performance of any medical procedure deemed neces-  
6 sary to provide comfort, care or to alleviate pain;

7 Section 2. This act is effective July 1, 1991.

8 (END)