

Regular Session, 2014

# ACT No. 850

HOUSE BILL NO. 1274 (Substitute for House Bill No. 348 by Representative Badon)

BY REPRESENTATIVES BADON, ANDERS, BURFORD, HAVARD, HENSGENS, HOFFMANN, KATRINA JACKSON, LEBAS, JAY MORRIS, POPE, SIMON, STOKES, PATRICK WILLIAMS, AND WILLMOTT AND SENATORS NEVERS AND THOMPSON

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AN ACT

To amend and reenact R.S. 40:1299.58.10(E) and 1299.64.6(D), relative to life-sustaining procedures; to require interpretations of the provisions of law regarding declarations concerning life-sustaining procedures be made to preserve the life of an unborn child; to require interpretations of the provisions of law regarding physician orders for scope of treatment be made to preserve the life of an unborn child; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1299.58.10(E) and 1299.64.6(D) are hereby amended and reenacted to read as follows:

§1299.58.10. General application

\* \* \*

E. It is the policy of the state of Louisiana that human life is of the highest and inestimable value through natural death. When interpreting this Part, any ambiguity shall be interpreted to preserve human life, including the life of an unborn child if the qualified patient is pregnant and an obstetrician who examines the woman determines that the probable postfertilization age of the unborn child is twenty or more weeks and the pregnant woman's life can reasonably be maintained in such a way as to permit the continuing development and live birth of the unborn child, and such determination is communicated to the relevant classes of family members and persons designated in R.S. 40:1299.58.5.

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1           §1299.64.6. General application

2   \*       \*       \*

3                         D. It is the policy of the state of Louisiana that human life is of the highest  
 4                         and inestimable value through natural death. When interpreting this Part, any  
 5                         ambiguity shall be interpreted to preserve human life, including the life of an unborn  
 6                         child if the qualified patient is pregnant and an obstetrician who examines the  
 7                         woman determines that the probable postfertilization age of the unborn child is  
 8                         twenty or more weeks and the pregnant woman's life can reasonably be maintained  
 9                         in such a way as to permit the continuing development and live birth of the unborn  
 10                        child, and such determination is communicated to the relevant classes of family  
 11                        members and persons designated in R.S. 40:1299.58.5.

12                 Section 2. This Act shall become effective upon signature by the governor or, if not  
 13                 signed by the governor, upon expiration of the time for bills to become law without signature  
 14                 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 15                 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 16                 effective on the day following such approval.

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 SPEAKER OF THE HOUSE OF REPRESENTATIVES

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 PRESIDENT OF THE SENATE

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 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_