

SENATE BILL NO. 176

BY SENATOR BUFFINGTON AND REPRESENTATIVE HUNTER

1 AN ACT

2 To enact R.S. 40:1299.41(L), relative to medical malpractice; to provide for definitions and  
3 general applications; to provide relative to certain acts or omissions regarding  
4 declarations or orders related to life-sustaining procedures; to provide for prospective  
5 application; to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1299.41(L) is hereby enacted to read as follows:

8 §1299.41. Definitions and general applications

9 \* \* \*

10 **L. Any cause of action for the unintentional acts or omissions arising**  
11 **from resuscitating a patient who has a declaration concerning life-sustaining**  
12 **procedures executed pursuant to R.S. 40:1299.58.1 et seq., a Louisiana**  
13 **Physician Order for Scope of Treatment executed pursuant to R.S. 40:1299.64.1**  
14 **et seq., or a do not resuscitate order issued by a physician licensed in this state**  
15 **shall be governed by the provisions of this Part.**

16 Section 2. The provisions of this Act shall be given prospective application only and  
17 shall not affect any action pending or claim arising prior to the effective date of this Act.

18 Section 3. This Act shall become effective upon signature by the governor or, if not  
19 signed by the governor, upon expiration of the time for bills to become law without signature  
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
2 effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

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