

~~20A-207. PROTECTION OF INCAPACITATED PATIENT.~~

~~(A) THIS TITLE DOES NOT DIMINISH THE RIGHT OR DUTY OF A HEALTH CARE PROVIDER UNDER CURRENT LAW OR PRACTICE TO SEEK THE PROTECTION OF AN INCAPACITATED INDIVIDUAL IN THE CARE OF THE HEALTH CARE PROVIDER AGAINST A HEALTH CARE DECISION THAT THE HEALTH CARE PROVIDER REASONABLY BELIEVES:~~

- ~~(1) IS CONTRARY TO THE WISHES OF THE INCAPACITATED INDIVIDUAL;~~
- ~~(2) WOULD HARM THE INCAPACITATED INDIVIDUAL; OR~~
- ~~(3) IS PROHIBITED BY THIS TITLE.~~

~~(B) A HEALTH CARE PROVIDER FOR AN INCAPACITATED INDIVIDUAL WHO BELIEVES THAT AN INSTRUCTION TO WITHHOLD OR WITHDRAW A LIFE-SUSTAINING PROCEDURE FROM THE INCAPACITATED INDIVIDUAL IS NOT REASONABLE AND PRUDENT SHALL:~~

~~(1) PETITION A PATIENT CARE ADVISORY COMMITTEE FOR ADVICE CONCERNING THE WITHHOLDING OR WITHDRAWAL OF THE LIFE-SUSTAINING PROCEDURE FROM THE INCAPACITATED INDIVIDUAL IF THE INDIVIDUAL IS IN A HOSPITAL OR RELATED INSTITUTION;~~

~~(2) BRING THE MATTER TO THE ATTENTION OF A STATE OR LOCAL GOVERNMENT AGENCY HAVING AUTHORITY TO PROTECT THE WELFARE OF THE INCAPACITATED INDIVIDUAL; OR~~

~~(3) FILE A PETITION IN A COURT OF COMPETENT JURISDICTION SEEKING INJUNCTIVE OR OTHER RELIEF RELATING TO THE WITHHOLDING OR WITHDRAWAL OF THE LIFE-SUSTAINING PROCEDURE FROM THE INCAPACITATED INDIVIDUAL.~~

~~20A-208. INSTRUCTIONS CONTRARY TO BELIEF OR POLICY.~~

~~(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A HEALTH CARE PROVIDER IS NOT REQUIRED TO VIOLATE THE RELIGIOUS, MORAL, OR ETHICAL BELIEF OR POLICY OF THE HEALTH CARE PROVIDER BY:~~

- ~~(1) PROVIDING HEALTH CARE; OR~~
- ~~(2) WITHHOLDING OR WITHDRAWING A LIFE-SUSTAINING PROCEDURE.~~

~~(B) IF A HEALTH CARE PROVIDER INTENDS NOT TO COMPLY WITH AN INSTRUCTION REGARDING THE HEALTH CARE OF AN INDIVIDUAL IN RELIANCE ON SUBSECTION (A) OF THIS SECTION, THE HEALTH CARE PROVIDER SHALL:~~

- ~~(1) INFORM THE PERSON GIVING THE INSTRUCTION THAT:~~
 - ~~(1) THE HEALTH CARE PROVIDER DECLINES TO CARRY OUT THE INSTRUCTION;~~