

~~(D) "MEDICALLY INEFFECTIVE" MEANS THAT, TO A REASONABLE DEGREE OF MEDICAL PROBABILITY, HEALTH CARE WILL NOT:~~

- ~~(1) IMPROVE OR MAINTAIN THE HEALTH OF THE DISABLED PERSON;~~
- ~~(2) PREVENT OR REDUCE THE DETERIORATION OF THE HEALTH OF THE DISABLED PERSON; OR~~
- ~~(3) PREVENT OR POSTPONE FOR ANY SIGNIFICANT LENGTH OF TIME THE DEATH OF THE DISABLED PERSON.~~

~~(E) "SUBSTITUTED JUDGMENT" MEANS A DETERMINATION BY A COURT THAT A DISABLED PERSON WOULD, IF COMPETENT, MAKE THE SAME HEALTH CARE DECISION REGARDING A LIFE-SUSTAINING PROCEDURE TAKING INTO ACCOUNT ANY INFORMATION THAT MAY BE RELEVANT TO THE DECISION INCLUDING:~~

- ~~(1) THE CURRENT DIAGNOSIS, PROGNOSIS WITH AND WITHOUT THE LIFE-SUSTAINING PROCEDURE, AND LIFE EXPECTANCY OF THE DISABLED PERSON;~~
- ~~(2) ANY EXPRESSED PREFERENCES OF THE DISABLED PERSON REGARDING THE PROVISION OF, OR THE WITHHOLDING OR WITHDRAWAL OF, THE LIFE-SUSTAINING PROCEDURE AT ISSUE;~~
- ~~(3) ANY EXPRESSED PREFERENCES OF THE DISABLED PERSON ABOUT THE PROVISION OF, OR THE WITHHOLDING OR WITHDRAWAL OF, LIFE-SUSTAINING PROCEDURES GENERALLY;~~
- ~~(4) ANY RELIGIOUS OR MORAL BELIEFS OR PERSONAL VALUES OF THE DISABLED PERSON IN RELATION TO THE PROVISION OF, OR THE WITHHOLDING OR WITHDRAWAL OF, LIFE-SUSTAINING PROCEDURES;~~
- ~~(5) ANY BEHAVIORAL OR OTHER MANIFESTATIONS OF THE ATTITUDE OF THE DISABLED PERSON TOWARD THE PROVISION OF, OR THE WITHHOLDING OR WITHDRAWAL OF, THE LIFE-SUSTAINING PROCEDURE;~~
- ~~(6) ANY CONSISTENT PATTERN OF CONDUCT BY THE DISABLED PERSON REGARDING PRIOR DECISIONS ABOUT HEALTH CARE;~~
- ~~(7) ANY REACTIONS OF THE DISABLED PERSON TO THE PROVISION OF, OR THE WITHHOLDING OR WITHDRAWAL OF, A COMPARABLE LIFE-SUSTAINING PROCEDURE FOR ANOTHER INDIVIDUAL; AND~~
- ~~(8) ANY EXPRESSED CONCERNS OF THE DISABLED PERSON ABOUT THE EFFECT ON THE FAMILY OR INTIMATE FRIENDS OF THE DISABLED PERSON IF A LIFE-SUSTAINING PROCEDURE WERE PROVIDED, WITHHELD, OR WITHDRAWN.~~

~~13-712. SUBSTITUTED JUDGMENT; EVIDENCE.~~

~~(A) THE COURT MAY APPROVE A REQUEST FOR THE WITHHOLDING OR WITHDRAWAL OF A LIFE-SUSTAINING PROCEDURE FROM A DISABLED PERSON ON THE BASIS OF A SUBSTITUTED JUDGMENT.~~