



Sen. A. J. Wilhelmi

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LRB096 03265 AJ0 24466 a

1 AMENDMENT TO SENATE BILL 2256

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2256 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Health Care Surrogate Act is amended by  
5 changing Section 65 as follows:

6 (755 ILCS 40/65)

7 Sec. 65. Do-not-resuscitate advance directive forms.

8 (a) An individual of sound mind and having reached the age  
9 of majority or having obtained the status of an emancipated  
10 person pursuant to the Emancipation of Minors Act may execute a  
11 document (consistent with the Department of Public Health  
12 Uniform DNR Advance Directive) directing that resuscitating  
13 efforts shall not be implemented. Such a document may also be  
14 executed by an attending physician. Notwithstanding the  
15 existence of a do-not-resuscitate (DNR) ~~DNR~~ order, appropriate  
16 organ donation treatment may be applied or continued

1 temporarily in the event of the patient's death, in accordance  
2 with subsection (g) of Section 20 of this Act, if the patient  
3 is an organ donor.

4 (b) Consent to a DNR Advance Directive may be obtained from  
5 the individual, or from another person at the individual's  
6 direction, or from the individual's legal guardian, agent under  
7 a power of attorney for health care, or surrogate decision  
8 maker, and witnessed by one individual ~~2 individuals~~ 18 years  
9 of age or older.

10 (c) The DNR Advance Directive may, but need not, be in the  
11 form adopted by the Department of Public Health pursuant to  
12 Section 2310-600 of the Department of Public Health Powers and  
13 Duties Law (20 ILCS 2310/2310-600).

14 (d) A health care professional or health care provider may  
15 presume, in the absence of knowledge to the contrary, that a  
16 completed Department of Public Health Uniform DNR Advance  
17 Directive or a copy of that Advance Directive is a valid DNR  
18 Advance Directive. A health care professional or health care  
19 provider, or an employee of a health care professional or  
20 health care provider, who in good faith complies with a  
21 do-not-resuscitate order made in accordance with this Act is  
22 not, as a result of that compliance, subject to any criminal or  
23 civil liability, except for willful and wanton misconduct, and  
24 may not be found to have committed an act of unprofessional  
25 conduct.

26 (e) Nothing in this Section or this Amendatory Act of the

1 94th General Assembly shall be construed to affect the ability  
2 of a physician to make a do-not-resuscitate ~~DNR~~ order.  
3 (Source: P.A. 93-794, eff. 7-22-04; 94-865, eff. 6-16-06.)".