

HOUSE RESOLUTION NO.314

Reps. Bollin, Leutheuser, Howell, Hall, Mueller, Kahle, Whiteford, Maddock, Wakeman, Sheppard, Afendoulis, Allor, Bellino, Calley, Crawford, Eisen, Green, Griffin, Lightner, Markkanen, Meerman, Paquette, Slagh, VanSingel, Whitsett, Wozniak and Yaroch offered the following resolution:

1 A resolution to affirm the right of patients and families to
2 direct health care decisions.

3 Whereas, The protection of human life is a compelling state
4 interest. The laws of this state have long upheld the right of
5 individuals, or their designated health care advocates or family
6 members, to direct their health care and make medical treatment
7 decisions; and

8 Whereas, Medical circumstances can arise where medical
9 professionals determine that a patient's treatment should not

1 continue based on subjective, non-medical factors, such as quality
2 of life. These decisions can put patients at risk of unjust and
3 premature death. Disputes over treatment decisions have led to
4 highly-publicized legal cases that exact a high cost - financially,
5 emotionally, and otherwise - on all parties involved; and

6 Whereas, Due to recent restrictions related to the COVID-19
7 Pandemic, some hospitalized patients and senior citizens in various
8 facilities have been isolated, creating unprecedented circumstances
9 where family members cannot directly interact with their loved ones
10 and are unable to reasonably assess their status. These scenarios
11 reinforce the Legislature's duty to vigilantly protect the rights
12 of Michigan residents; and

13 Whereas, Medical decision making - whether to receive, refuse,
14 or withdraw such care - should be made by the competent patient,
15 the patient's duly designated surrogate in an advanced medical
16 directive, or close family members; and

17 Whereas, The fundamental rights of life and liberty in the
18 Bill of Rights demand that a robust and protective legal due
19 process be guaranteed when a decision to withhold or withdraw life-
20 sustaining treatment is in dispute. If notice to withdraw life-
21 sustaining care is contested by a patient advocate or family
22 member, care should not be withdrawn until a full and fair hearing
23 is conducted by an impartial decisionmaker to protect the patient's
24 rights; and

25 Whereas, A just society must err on the side of life and
26 maintain that it is in the best interest of a patient to continue
27 to live and receive the treatment needed to sustain life; now,
28 therefore, be it

29 Resolved by the House of Representatives, That we affirm the

- 1 right of patients and families to direct health care decisions and
- 2 urge all three branches of state and local governments to affirm
- 3 this right.