

1 H.763

2 Introduced by Representative Tate of Mendon

3 Referred to Committee on

4 Date:

5 Subject: Health; patient choice at end of life; Vermont resident

6 Statement of purpose of bill as introduced: This bill proposes to require a
7 physician to have had a professional relationship with a patient with a terminal
8 condition for at least six months before prescribing medication for the patient
9 to self-administer for the purpose of hastening death. It would also clarify the
10 definition of a Vermont resident for purposes of the patient choice at end of
11 life laws.

12 An act relating to physician-patient relationships and Vermont residency for
13 patient choice at end of life

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 18 V.S.A. § 5281 is amended to read:

16 § 5281. DEFINITIONS

17 As used in this chapter:

18 (1) “Bona fide physician-patient relationship” means a treating or
19 consulting relationship of not less than six months’ duration in the course of
20 which a physician has completed a full assessment of the patient’s medical

1 history and current medical condition, including a personal physical
2 examination.

3 * * *

4 (8) "Patient" means a person who is 18 years of age or older, a Vermont
5 resident ~~of Vermont~~, and under the care of a physician.

6 * * *

7 (11) "Vermont resident" means an individual domiciled in Vermont as
8 evidenced by an intent to maintain a principal dwelling place in Vermont
9 indefinitely and to return to Vermont if temporarily absent, coupled with an act
10 or acts consistent with that intent.

11 Sec. 2. 18 V.S.A. § 5283(a) is amended to read:

12 (a) A physician shall not be subject to any civil or criminal liability or
13 professional disciplinary action if the physician prescribes to a patient with a
14 terminal condition with whom the physician has a bona fide physician-patient
15 relationship medication to be self-administered for the purpose of hastening the
16 patient's death and the physician affirms by documenting in the patient's
17 medical record that all of the following occurred:

18 * * *

19 Sec. 3. EFFECTIVE DATE

20 This act shall take effect on passage.