SENATE DOCKET, NO. FILED ON: 1/9/2009

**SENATE . . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Morrissey, Michael (SEN)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General  
 Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act further regulating the appointment of a health care agent.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Morrissey, Michael (SEN) | Norfolk and Plymouth |

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S00965 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act further regulating the appointment of a health care agent.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1.   Section 2 of chapter 201D of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by adding the following paragraph:-

            A competent adult who is unable to find a person willing to become a health care agent or alternate health care agent for the adult may petition the probate court to appoint a health care agent who shall be subject to this chapter.

SECTION 2.   Section 7 of said chapter 201D, as so appearing, is hereby amended by inserting after the word “proxy”, in line 3, the following words:- ; but, if the health care agent is one appointed by a probate court, the court shall be given notice of the revocation in writing.