

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Bradley H. Jones, Jr.**

*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 relative to health care proxies.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Viriato Manuel deMacedo	1st Plymouth
Bradley H. Jones, Jr.	20th Middlesex
George N. Peterson, Jr.	9th Worcester
Elizabeth Poirier	14th Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1510 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT RELATIVE TO HEALTH CARE PROXIES.

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

1 SECTION 1. Section 4 of chapter 201D, as appearing in the 2006 Official Edition, is hereby  
2 amended by inserting, in line 6, after the word “authority”, the following:— including but not  
3 limited to any express direction the principal wishes to impose upon the agent

4 SECTION 2. Section 5 of said chapter 201D, as so appearing, is hereby amended by striking the  
5 sentence, in lines 1 through 4, inclusive, “An agent shall have the authority to make any and all  
6 health care decisions on the principal's behalf that the principal could make, including decisions  
7 about life-sustaining treatment, subject, however, to any express limitations in the health care  
8 proxy.” and inserting in place thereof the following sentence:-

9 An agent shall have the authority to make any and all health care decisions on the principal's  
10 behalf that the principal could make, including decisions about life-sustaining treatment, subject,

11 however, to any express limitations or directives in the health care proxy, which shall be binding  
12 upon the agent.