

1 186821-3 : n : 05/10/2017 : WARD / vr

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3 SENATE HEALTH COMMITTEE AMENDMENT TO HB373, AS ENGROSSED

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7  
8 On page 1, line 9, delete ", 22-8A-3, and 22-8A-7"  
9 and insert in lieu thereof the following:

10 and 22-8A-3

11  
12 On page 1, line 19, delete "a Physician" and insert  
13 in lieu thereof the following:

14 an

15  
16 On page 2, line 3, delete ", 22-8A-3, and 22-8A-7"  
17 and insert in lieu thereof the following:

18 and 22-8A-3

19  
20 On page 6, line 2, delete "physician"

21  
22 On page 6, line 23, delete "PHYSICIAN"

23  
24 On page 7, delete lines 1 to 3, inclusive, and  
25 insert in lieu thereof the following:

1                    amending this section, which when completed becomes  
2 the medical order for all health care providers with respect  
3 to  
4

5                    On page 8, line 12, after "diagnosis." insert a  
6 quotation mark  
7

8                    On page 8, beginning on line 13 and continuing to  
9 page 9, line 21, delete the language  
10

11                   On page 11, line 12, delete "Physician"  
12

13                   On page 13, delete lines 15 to 27, inclusive, and on  
14 page 14, delete lines 1 to 8, inclusive, and insert in lieu  
15 thereof the following:

16                   (a) Any school, city or county board of education,  
17 the Board of Education for the Department of Youth Services,  
18 board of education member, or employee of a local board of  
19 education or school, attempting to follow a palliative and end  
20 of life individual health plan or directions, guidance, or  
21 instructions provided by a qualified representative pursuant  
22 to a palliative and end of life individual health plan shall  
23 not be subject to criminal liability or prosecution and shall  
24 be afforded the civil liability protections pursuant to  
25 Section 36-1-12. Moreover, the same protections shall be  
26 afforded to a school, city or county board of education, the

1 Board of Education for the Department of Youth Services, board  
2 of education member, or employee of a local board of education  
3 or school for the provision of medical or non-medical care or  
4 treatment or withholding of treatment of a qualified minor as  
5 provided for under this chapter.

6 (b) Any health care provider or health care facility  
7 acting within the applicable standard of care who is  
8 attempting to follow the directives in an executed Order for  
9 PPEL Care in compliance with this chapter is not subject to  
10 criminal or civil liability and may not be found to have  
11 committed an act of unprofessional conduct. Nothing in this  
12 chapter shall be construed to establish a standard of care for  
13 physicians or otherwise modify, amend, or supersede any  
14 provision of the Alabama Medical Liability Act of 1987 or the  
15 Alabama Medical Liability Act of 1996, or any amendment or  
16 judicial interpretation thereof.

17 (c) Any of the individuals or entities described in  
18 subsection (a) or (b) who do not know, or should not  
19 reasonably know, that an executed Order for PPEL Care exists  
20 is not civilly or criminally liable for actions taken to  
21 assist a qualified minor subject to an executed Order for PPEL  
22 Care.

23  
24 On page 14, line 22, delete "Physician"

25  
26 On page 15, line 1, delete "Physician"

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On page 16, line 9, after "Association" insert the  
following:

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of the State