

Fifty-sixth
Legislative Assembly
of North Dakota

Introduced by

Representatives Price, Rose

Senator Lee

1 A concurrent resolution directing the Legislative Council to study the clarity and continuity of
2 end-of-life decisionmaking issues and related laws.

3 **WHEREAS**, a broad variety of state laws address end-of-life issues, including informed
4 consent for health care, guardianship, organ donation, living will, durable power of attorney for
5 health care, durable power of attorney, and power of attorney; and

6 **WHEREAS**, state law addressing these issues was enacted over the course of several
7 years, resulting in the lack of continuity and dispersal throughout the North Dakota Century
8 Code; and

9 **WHEREAS**, many North Dakotans fail to adequately plan for issues that arise at the
10 end of life because of the complexity of relevant laws; and

11 **WHEREAS**, the National Conference of Commissioners on Uniform State Laws
12 recognized the value of clarity and continuity in making health care decisions and therefore
13 recommended the Uniform Health Care Decision Act to the states for enactment; and

14 **WHEREAS**, at least 16 states have studied the advantages and disadvantages of
15 enacting comprehensive advanced health care directive statutes, concluding a comprehensive
16 statutory scheme is a reasonable solution; and

17 **WHEREAS**, the Robert Wood Johnson Foundation provided a grant to the North
18 Dakota End of Life Task Force, which is in part studying end-of-life decisionmaking issues;

19 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
20 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

21 That the Legislative Council study the clarity and continuity of end-of-life
22 decisionmaking issues and related laws; and

23 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
24 recommendations, together with any legislation required to implement the recommendations, to
25 the Fifty-seventh Legislative Assembly.