

ELDER LAW & DISABILITY RIGHTS SECTION  
Respectfully submits the following position on:

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HB 4382 – HB 4384

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The Elder Law & Disability Rights Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Elder Law & Disability Rights Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Elder Law & Disability Rights Section is 1,739.

The position was adopted after a discussion and vote. The number of members in the decision-making body is 18. The number who voted in favor to this position was 11. The number who voted opposed to this position was 0. The number who abstained was 3.

## Report on Public Policy Position

**Name of section:**

Elder Law & Disability Rights Section

**Contact person:**

Bradley A. Vauter

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**Bill Number:**

[HB 4382](#) (Cotter) Health; emergency response; do-not-resuscitate orders; authorize guardians to execute and provide other general amendments. Amends title & secs. 2, 3, 4, 5, 6, 8, 9, 10, 11 & 14 of [1996 PA 193](#) (MCL [333.1052](#) et seq.) & adds sec. 3a.

[HB 4383](#) (LaFontaine) Human services; adult foster care; citation to do-not-resuscitate orders; revise. Amends sec. 4 of [1979 PA 218](#) (MCL [400.704](#)).

[HB 4384](#) (Kurtz)

Probate; guardians and conservators; guardian's authority to consent to a do-not-resuscitate order; clarify, and provide procedure. Amends secs. 1103, 5303, 5305 & 5314 of [1998 PA 386](#) (MCL [700.1103](#) et seq.).

**Date position was adopted:**

April 6, 2013

**Process used to take the ideological position:**

Position adopted after discussion and vote at a scheduled meeting.

**Number of members in the decision-making body:**

18

**Number who voted in favor and opposed to the position:**

11 Voted for position

0 Voted against position

3 Abstained from vote

4 Did not vote

**Position:**

Support

**Explanation of the position, including any recommended amendments:**

General support was given this set of bills, with an eye towards eliminating some of the authority confusion that seems to exist at present because of shortfalls or varied opinions regarding the intersection and gaps when Michigan's EPIC, DNR, Death with Dignity and Michigan's Designation of Patient Advocate laws meet.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

<http://legislature.mi.gov/doc.aspx?2013-HB-4382>

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