

LIVING WILL/ADVANCE DIRECTIVE

Support for the right of individuals to make or assign responsibility for their own end-of-life medical decisions

The League of Women Voters of Oklahoma (LWVOK) believes that the living will should include:

- provisions for a durable power of attorney,
- no requirement for a terminal diagnosis prior to signing,
- no time limit on its validity,
- binding effect for individuals in a persistent unconscious state, and
- the right of individuals 18 or older to execute a living will.

The LWVOK believes that individuals' rights and wishes should be respected by health care professionals regarding their living will.

Consensus approved 1992

BACKGROUND

The LWVOK delegates to the 1991 Convention voted to study living wills and durable powers of attorney. The study began immediately in hopes a consensus could be reached and a position statement drafted before the 1992 legislative session.

Oklahoma enacted the Natural Death Act in 1985; however, it was very restrictive. It applied only to the "qualified patient" (a patient diagnosed and certified by two physicians to be in a terminal, irreversible, and incurable condition who would die

regardless of life-sustaining procedures). If the patient was deemed a "qualified patient," the attending physician could honor a previously written directive, but was not bound by it.

In 1991, an interim legislative study reviewed previously introduced amendments to the Oklahoma Natural Death Act and similar legislation in other states. The LWVOK joined with other organizations to monitor legislative committee meetings discussing living wills. In October of 1991, the LWVOK began holding local consensus meetings. A consensus was reached, and a position statement was drafted in February of 1992.

With a position statement available, the LWVOK lobbied for passage of HB 1893, Oklahoma Rights of the Terminally Ill or Persistently Unconscious Act. The bill passed in the 1992 legislative session and included provisions stated in the LWVOK position. The LWVOK was recognized for being instrumental in the passage of this legislation.

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