311.623 Living will directive -- Eligible persons -- Scope -- Effect -- Recognition of person's desire not to be resuscitated.

(1) An adult with decisional capacity may make a written living will directive that does any or all of the following:

(a) Directs the withholding or withdrawal of life-prolonging treatment; or

(b) Directs the withholding or withdrawal of artificially provided nutrition or hydration; or

(c) Designates one (1) or more adults as a surrogate or successor surrogate to make health care decisions on behalf of the grantor. During any period in which two (2) or more surrogates are serving, all decisions shall be by unanimous consent of all the acting surrogates unless the advance directive provides otherwise; or

(d) Directs the giving of all or any part of the adult's body upon death for any purpose specified in KRS 311.1929.

(2) Except as provided in KRS 311.633, a living will directive made pursuant to this section shall be honored by a grantor's family, regular family physician or attending physician, and any health care facility of or in which the grantor is a patient.

(3) For purposes of KRS 311.621 to 311.643, notification to any emergency medical responder as defined by KRS Chapter 211 or any paramedic as defined by KRS Chapter 311, of a person's authentic wish not to be resuscitated shall be recognized only if on a standard form or identification approved by the Kentucky Board of Medical Licensure, in consultation with the Cabinet for Health and Family Services.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 161, sec. 30, effective July 15, 2010. -- Amended 2005 Ky. Acts ch. 99, sec. 586, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 392, sec. 1, effective July 15, 1998; and. ch. 426, sec. 538, effective July 15, 1998. -- Created 1994 Ky. Acts ch. 235, sec. 2, effective July 15, 1994.