

Texas Advance Directives Act of 1999: Involuntary Euthanasia

What You Need to Know:

The Texas Advance Directives Act of 1999, (Texas Health & Safety Code, Section 166.046) often referred to as the "futile care" law, allows a hospital "ethics" committee to withdraw life support from patients against their will and against the will of their family. Regardless of a patient's level of consciousness, or of their ability to pay for treatment, or the patient's clear instructions regarding continuation of life support, the futile care law allows the patient's ethics, religious values, and clear instructions to be discounted to accommodate the ethics of the attending physician. The law not only violates patients' most basic human rights, it provides protection for hospitals and medical professionals against civil and criminal liability for medical errors, negligence, and financial conflicts of interest, among other issues, while leaving patients without even the barest of basic rights afforded the most vile of convicted criminals.

What You Can Do:

1. One of the most dangerous things about this law is that most citizens of Texas are unaware of it. It's difficult to get a law changed or to protect people from it when most people aren't even aware of it (and therefore don't feel threatened by it.) So the first thing you can do is to inform others about the law—bring Texas' dirty little secret out in the open. Share this information with everyone you know. Copy this flyer and share it with your friends, co-workers, church members, classmates, club members, etc. You can find a copy of this flyer and learn more about the law at www.texaspatientrights.org. Follow the links on the website for more information about the law and about the legislators (and their campaign contributors) who have the power to change the law.

2. The second thing you can do is to write the members of the Public Health Committee (find info at the website above) as well as your own legislators. Ask them to support HB 1094 in the House and SB 439 in the Senate. These bills reform the current law to require hospitals to continue treating patients ***until they are transferred*** to another facility. Currently, the law allows patients only 10 days to be transferred to another facility. If the patient can't be transferred within that time, either because their condition is unstable, or other facilities won't accept them, or other reasons that are all too common in critically ill patients (a \$15,000 transport fee, for example), the law now allows hospitals to withdraw life support from the patient. Simply extending the time period will only cause hospitals to invoke the statute earlier, causing a lengthier period of stress for patients and their families. So it's important to stress that hospitals be required to treat patients until transferred.

The current law was passed in both branches of the legislature *without a single opposing vote*, and yet the majority of Texans who learn about this law are deeply opposed to it. It is time to let the legislature know how we feel about this immoral law and to let them know that the citizens of Texas are paying attention to their actions in this matter.