

an amendment to allow for choice because that is what this does. That's clearly what the Section 9 does. It takes away any opportunity for choice for those people who fall in this category. This is one of those amendments where folks ought to take out the bill and read this section that we're talking about. It's approximately two pages long, so it's all of 50 lines, double-spaced. But it really is the crux to this issue and I really think you need to spend the two minutes that it ought to take you to read it, when it gets into line 21 of page 9 of the bill and says, has no effective declaration. The authority to consent or to withhold consent under subsection 1 of this section may be exercised by the following classes of individuals in order of priority. In other words, we're going beyond, well beyond. Senator Lindsay is absolutely right when he says we're going well beyond that individual priority or individual decision that was a genesis for this proposal. They are going well beyond that and we're getting down to the nearest other adult relative of the individual by blood or adoption who is reasonably available for consultation. Then it says if a class entitled to decide whether to consent is not reasonably available for consultation and competent to decide or to declines to decide, the next class is authorized to decide but an equal division in a class shall not authorize the next class to decide. That means if you are fighting, I guess, you know, whoever wins the fight gets to make that decision. Then it goes on to say, a consent shall not be valid if it conflicts with the expressed intention of the individual. Well what good does that sentence do if that individual is unable to decide for themselves? If we're far enough down the bloodline that we don't know, but they happen to be the next individual, if it conflicts somehow we're supposed to I guess revive that individual to find out if that would conflict with their expressed intention, but yet they have no expressed intention and that's why this section is activated. It doesn't make any sense except exactly what, you know, we had asked I guess in this bill originally, that individuals have the opportunity to make that decision. What this does in effect is say, no, if those individuals have made a decision, if they have decided not to put a living will into place and with the laws at the federal level that require individuals before they go into a facility, a hospital with regard to hospitals that receive federal Medicaid, Medicare monies, they have to be notified about the living will types of legislation that are effective in their state. Everyone who goes into the facility competent...