

1041

Sponsor(s): Representatives Lantz, Kagi, Conway, Chase, Kirby, Dickerson, Kenney, Campbell, Talcott, Skinner and Jarrett

Brief Description: Authorizing mental health advance directives.

HB 1041 - DIGEST

(SUBSTITUTED FOR - SEE 1ST SUB)

Finds that: (1) Some mental illnesses cause individuals to fluctuate between capacity and incapacity;

(2) During periods when an individual's capacity is unclear, the individual may be unable to access needed treatment because the individual may be unable to give informed consent;

(3) Early treatment may prevent an individual from becoming so ill that involuntary treatment is necessary; and

(4) Mentally ill individuals need some method of expressing their instructions and preferences for treatment and providing advance consent to or refusal of treatment.

Recognizes that a mental health advance directive can be an essential tool for an individual to express his or her choices at a time when the effects of mental illness have not deprived him or her of the power to express his or her instructions or preferences.

Affirms that, pursuant to other provisions of law, a validly executed mental health advance directive is to be respected by agents, guardians, and other surrogate decision makers, health care providers, professional persons, and health care facilities.