

1 I understand that, unless I revoke it, this proxy will remain in
2 effect indefinitely or until the date or occurrence of the condition I
3 have stated below:

4 (Please complete the following if you do NOT want this health care
5 proxy to be in effect indefinitely):

6 This proxy shall expire: (Specify date or condition)

7 Signature:

8 Address:

9 Date:

10 I declare that the person who signed or asked another to sign this
11 document is personally known to me and appears to be of sound mind and
12 acting willingly and free from duress. He or she signed (or asked anothe-
13 er to sign for him or her) this document in my presence and that person
14 signed in my presence. I am not the person appointed as agent by this
15 document.

16 Witness:

17 Address:

18 Witness:

19 Address:

20 S 2. Subdivision 2 of section 2982 of the public health law, as
21 amended by chapter 230 of the laws of 2004, is amended to read as
22 follows:

23 2. Decision-making standard. After consultation with a licensed physi-
24 cian, registered nurse, licensed psychologist, licensed master social
25 worker, or a licensed clinical social worker, the agent shall make
26 health care decisions: (a) in accordance with the principal's wishes,
27 including the principal's religious and moral beliefs; or (b) if the
28 principal's wishes are not reasonably known and cannot with reasonable
29 diligence be ascertained, in accordance with the principal's best inter-
30 ests[; provided, however, that if the principal's wishes regarding the
31 administration of artificial nutrition and hydration are not reasonably
32 known and cannot with reasonable diligence be ascertained, the agent
33 shall not have the authority to make decisions regarding these meas-
34 ures].

35 S 3. This act shall take effect on the ninetieth day after it shall
36 have become a law, provided that the amendments to sections 2981 and
37 2982 of the public health law made by sections one and two of this act
38 shall apply to decisions made pursuant to health care proxies created
39 prior to the effective date of this act as well as those created there-
40 after.