

REFERENCE TITLE: health care decisions; living wills

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **HB 2254**

Introduced by  
Representative Wilmeth: Senator Burch

AN ACT

AMENDING SECTION 36-3261, ARIZONA REVISED STATUTES; RELATING TO LIVING WILLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-3261, Arizona Revised Statutes, is amended to  
3 read:

4 36-3261. Living will; verification; liability

5 A. An adult may prepare a written statement known as a living will  
6 to control the health care treatment decisions that can be made on that  
7 person's behalf, INCLUDING:

8 1. HOSPICE CARE.

9 2. THE USE OF MEDICATIONS FOR THE MANAGEMENT OF PAIN AND SUFFERING.

10 3. HOW AND UNDER WHAT CIRCUMSTANCES THE INGESTION OF FOOD AND  
11 LIQUIDS MAY BE LIMITED OR DISCONTINUED.

12 B. The person may use the living will as part of or instead of a  
13 health care power of attorney or to disqualify a surrogate.

14 ~~B.~~ C. If the living will is not part of a health care power of  
15 attorney, the person shall verify ~~his~~ THE PERSON'S living will in the same  
16 manner as prescribed by section 36-3221.

17 ~~C.~~ D. A health care provider who makes good faith health care  
18 decisions based on the provisions of an apparently genuine living will is  
19 immune from criminal and civil liability for those decisions to the same  
20 extent and under the same conditions as prescribed in section 36-3205.