

**ASSEMBLY BILL**

**No. 2565**

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**Introduced by Assembly Member Eng**

February 22, 2008

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An act relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2565, as introduced, Eng. Hospitals: brain death.

Existing law, the Uniform Determination of Death Act, defines a person as being "dead" to include when an individual has sustained irreversible cessation of all functions of the entire brain, including the brain stem. Existing law requires a determination of death to be made in accordance with accepted medical standards.

Existing law, administered by the State Department of Public Health, provides for the licensure and regulation of health facilities, including general acute care hospitals

This bill would state the intent of the Legislature to enact legislation that would require a hospital to follow specified notice procedures when an individual is declared dead in accordance with the above-mentioned definition in order to provide the individual's family with time to prepare for the removal of life support.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 legislation that would require a hospital to follow specified notice
- 3 procedures when an individual is declared dead by reason of

- 1 irreversible cessation of all functions of the entire brain, including
- 2 the brain stem, in order to provide the individual's family with
- 3 time to prepare for the removal of life support.