

## ARKANSAS

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>Criteria</b>	<b>Qual. Conds.</b>	<b>ANH (Def.)</b>	<b>Standard of Decision-making</b>	<b>Specific Authorization Required (ANH)</b>	<b>ANH Required for Comfort Care</b>	<b>ANH included as Life-Sustaining TX</b>	<b>Other Provisions</b>
<b>Statues</b>							
AR Rights of the Terminally Ill or Permanently Unconscious Act	Term. Cond.	No	?	No	Yes	NO	See below
Durable Power of Attorney for Health Care Act	Incapac.	NO	?	NO	No	NO	See below
<b>Regulations</b>							
<ul style="list-style-type: none"> <li>No provisions found in this policy.</li> </ul>							
<b>Case Law</b>							
Porter v. State, 308 Ark. 137, 823 S.W. 846 (1992)							
<ul style="list-style-type: none"> <li>The provision stating that requests that the extraordinary measures to prolong life be removed be in writing is for the protection of medical personnel</li> </ul>							
<b>Other</b>							
<ul style="list-style-type: none"> <li>A declaration becomes operative when (I) communicated; and (ii) the declarant is determined ... to be in a terminal condition and no longer able to make decisions regarding administration of life-sustaining treatment. (§ 20-17-203)(1999)</li> <li>The AR Rights of the Terminally Ill Act does not affect the responsibility of the attending physician to provide treatment, including nutrition and hydration, for a patient's comfort, care, or alleviation of pain (§ 20-17-206)(1999)</li> <li>The term health care shall not include decisions concerning life-sustaining treatment set forth in § 20-17-201 et seq. However, a power of attorney for health care may contain the declaration set forth in § 20-17-202 relating to such life-sustaining treatments (§ 20-13-104)(1999)</li> </ul>							

### **Notes:**

- ARK. Stat. Ann. § 20-17-202 (1999) allows a patient who is not in a terminal condition to execute advance directives. Alexander GJ. Time for a New Law on Health Care Advance Directives, 42 Hastings L.J. 755 (1991)(See § 20-17-203)
- ANH is not mentioned under the definition of life-sustaining treatment (§ 20-17-201)(1999)