

## House Concurrent Resolution No. 5031

By Committee on Health and Human Services

1-25

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9 A CONCURRENT RESOLUTION urging providers of health insur-  
10 ance to encourage certain insured individuals to have an up-to-date  
11 living will and advanced directives.  
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13 WHEREAS, The cost of health care continues to increase faster than  
14 the cost of living; and

15 WHEREAS, Under Kansas law a Kansas citizen may execute a docu-  
16 ment termed a durable power of attorney for health care decisions, com-  
17 monly referred to as advanced directives, wherein the individual may  
18 direct the withholding or withdrawal of life-sustaining procedures in a  
19 terminal condition; and

20 WHEREAS, Under Kansas law, a Kansas citizen may execute a doc-  
21 ument termed a declaration, commonly referred to as a living will, au-  
22 thorizing another individual to act for an ill person upon the ill person's  
23 subsequent disability or incapacity; and

24 WHEREAS, Unless a person has a living will or advanced directives,  
25 such person when hospitalized for a life-threatening condition may be  
26 subject to being treated with life-saving measures against the person's will  
27 and desire; and

28 WHEREAS, The unnecessary use of life saving measures increases the  
29 costs of health care for all citizens of the state of Kansas: Now, therefore,

30 *Be it resolved by the House of Representatives of the State of Kansas,*  
31 *the Senate concurring therein:* That the Legislature strongly urges the  
32 insurance industry to consider providing rate reductions or other incen-  
33 tives for policyholders or applicants for health insurance, particularly any  
34 person who is at least 40 years of age, to have a current living will and  
35 durable power of attorney for health care decisions; and

36 *Be it further resolved:* That the Secretary of State provide an en-  
37 rolled copy of this resolution to the Commissioner of Insurance who is  
38 hereby directed to send a copy of this resolution to each insurance com-  
39 pany which sells health insurance in this state.