

**SB 11 WITNESS REQUIREMENT FOR ISSUING ORAL CONSENT FOR AN
INPATIENT DNR:**

SB 11 contains witness requirements for the issuance of a competent patient's oral consent for an inpatient DNAR.

Texas Health and Safety Code Section 166.203(a)(1)(B) requires two witnesses.

Any competent adult may serve as a witness. However, **only one** of the witnesses may be an:

- Employee of the attending physician.
- Employee of the hospital, in which the declarant is a patient, providing direct patient care to the declarant.
 - For example: a physician's assistant, registered nurse, advanced practice registered nurse, respiratory therapist or other hospital employee providing direct patient care to the declarant.
- Employee of the hospital, in which the declarant is a patient, who is an officer, director, partner or business office employee of the hospital or of any parent organization of the hospital.
 - For example: a member of hospital administration, registrar, medical coder, hospital board member or chief financial officer.

If any one of the witnesses meets a description under the list above, the second witness must not.

If neither witness is a party listed above, both would be qualified, allowable witnesses.

Examples of competent adults who might serve as witnesses (subject to the above test) include but is not limited to:

- Family member of the patient.
- Friend of the patient.
- Person designated by the patient to make a health care or treatment decision.
- Attending physician.
- Spouse.
- Person entitled to a portion of the estate.
- Stranger.