

The Texas Dispute Resolution Process Provides Substantially More Due Process Protections for Patients than 22 Other States that Also Allow Safe Harbor for Physicians

The dispute resolution process in Texas law (§ 166.046, Health & Safety Code) compares very well with other states' dispute resolutions laws. These twenty-two states provide safe harbor for physicians, as does Texas, but Texas provides substantially more due process to protect patients' end of life decision-making autonomy.

State	Code	Statute(s)
Alabama	Health, Mental Health, and Environmental Control	§ 22-8A-7(c), § 22-8A-8(a)
Arkansas	Public Health and Welfare	§ 20-17-207, § 20-17-208, § 20-17-209
California	Probate Code	§ 4736, § 4740
Connecticut	General Statutes of Conn	§ 19a-571
Georgia	Official Code of Georgia Ann.	§ 31-32-8, § 31-32-10
Idaho	Idaho Statutes	§ 39-4513(2)
Iowa	Iowa Code	§ 144A.8(1), § 144A.9
Kentucky	Kentucky Code, Title XXVI	§ 311.633
Louisiana	Louisiana Revised Statutes Annotated, Title 40	§ 40:1151.6(B), § 40:1151.7(B)
Maryland	Health-General	§ 5-609, § 5-613
Minnesota	Minnesota Statutes	§ 145B.06(1)(b), § 145B.13, § 145C.11(2)(a)
Montana	Montana Code Annotated	§ 50-9-203, § 50-9-204A(2)
Nebraska	Nebraska Revised Statutes	§ 20-409, § 20-410(2)
Nevada	Nevada Revised Statutes, Title 40	§ 449A.457, § 449A.460
New Hampshire	New Hampshire Statutes, Title X	§ 35-22-408(g), § 35-22-410(a)(v)
New Jersey	New Jersey Revised Statutes	§ 26:2H-62
North Carolina	Medicine and Allied Occupations	§ 90-321, § 90-322
North Dakota	Health and Safety	§ 23-06.5-12
Oregon	Oregon Revised Statutes, Volume 3, Chapter Section 13	§ 127.560, § 127.625, § 127.654
Pennsylvania	Pennsylvania Consolidated Statutes, Title 20	20 Pa.C.S. § 5424, 20 Pa.C.S. § 5431(a)(6)
Virginia	Virginia Code Annotated	§ 54.1-2990
Wyoming	Wyoming Statutes	§ 35-22-408(g), § 35-22-410(a)(v)