

27 States (& D.C.) Provide No Safe Harbor for Physicians and Require Harmful Medical Interventions for Terminally Ill Patients Indefinitely

These states require an attempt to transfer the patient. However, if a transfer is not found, the statute implicitly requires physician or provider to continue life-sustaining interventions indefinitely.

State	Code	Statute(s)
Alaska	Alaska Statutes 2018	§ 13.52.060(g)(2), § 13.52.080(a), § 13.52.080(b)
Arizona	Arizona Revised Statutes	§ 36-3204(A), § 36-3204(C)(1)
Colorado	Probate, Trusts, and Fiduciaries	§ 15-18-107, § 15-18-110, §15-18-113
Delaware	The Delaware Code, Title 16	16 Del. C. § 2508(g), 16 Del. C. § 2510(a)(5)
Hawaii	Hawaii Revised Statutes, Title 19	HRS § 327E-7, HRS § 327E-9
Illinois	Illinois Compiled Statutes, Chapter 755	§ 755 ILCS 35/3, § 755 ILCS 35/7
Indiana	Burns Indiana Code Annotated	§ 16-36-4-7, § 16-36-4-13
Mississippi	Mississippi Code Annotated	§ 41-41-215, § 41-41-219
Missouri	Missouri Revised Statutes	§ 459.030, § 459.040
New Mexico	Unannotated New Mexico Statutes and Court Rules	§ 24-7A-7, § 24-7A-9(A)
Ohio	Ohio Revised Code, Title 21	§ 2133.10, § 2133.11
Oklahoma	Oklahoma Statutes, Title 63, Chapter 60	63 Okl. St. § 3101.10, 63 Okl. St. § 3101.9
South Dakota	South Dakota Codified Laws	§ 34-12D-12, § 34-12D-13
Tennessee	Tennessee Code Annotated	§ 32-11-108(a)
Utah	Utah Code Annotated	§ 75-2a-115(a)
West Virginia	West Virginia Code	§ 16-30-12(b)

If transfer is not possible, these states resolve the dispute by court action, or the physician must continue life-sustaining interventions indefinitely.

State	Code	Statute(s)
Maine	Maine Revised Statutes, Title 18-C (Probate Code)	18-C M.R.S. § 5-810, 18-C M.R.S. § 5-808(7)(C), 18-C M.R.S. § 5-815
Massachusetts	Annotated Laws of Massachusetts	ALM GL ch. 201D, § 8, ALM GL ch. 201D, § 15
New York	Public Health Law	§ 2984, § 2986

These states require an attempt to transfer the patient. However, if a transfer is not found, the physician is liable for an administrative penalty

State	Code	Statute(s)
District of Columbia	Code of the District of Columbia	§ 7-627
Kansas	Kansas Code	§ 65-28,107(a)
Rhode Island	Rhode Island General Laws	RI Gen. L § 23-4.11-7, RI Gen. L § 23-4.11-8, RI Gen. L § 23-4.11-9
South Carolina	South Carolina Code Annotated	§ 44-77-90, § 44-77-100
Vermont	Vermont Statutes Annotated, Title 18	18 V.S.A. § 9707(3)(B), 18 V.S.A. § 9713, 18 V.S.A. § 9714(A)
Wisconsin	Wisconsin Statutes	§ 154.07(1)(a)(3)

In the event that transfer is impossible, this state requires the doctors to continue life-sustaining interventions indefinitely.

State	Code	Statute(s)
Florida	The 2018 Florida Statutes, Title XLIV	§ 765.1105(2)(b)

These states have no dispute resolution process thereby requiring the physician to provide life-sustaining interventions indefinitely or risk liability.

State	Code	Statute(s)
Michigan	Michigan Compiled Laws Service	§ 700.5511
Washington	Annotated Revised Code of Washington	§ 70.122.051, § 70.122.060