

NOTICE OF PROPOSED RULEMAKING

**Proposed Amendment to the *Licensing and Operating Rules for Nursing Homes***

The Department of Disabilities, Aging and Independent Living (DAIL) is proposing to amend the *Licensing and Operating Rules for Nursing Homes* in furtherance of the mandate contained in Act No. 136 of the 2016 legislative session. Act No. 136 amends 18 V.S.A. chapter 231 to allow for surrogate decision-making for do-not-resuscitate orders (DNRs) and clinician orders for life-sustaining treatment (COLST). More specifically, the Act, among other things, details who may serve as a surrogate, describes the circumstances under which a surrogate may provide or withhold informed consent, and sets forth the rights and responsibilities of a surrogate. In addition, the Act amends 33 V.S.A. § 7306, which details the responsibilities of a resident's representative when making decisions, including whether to provide or withhold consent for a DNR or COLST, on behalf of a resident, and directs DAIL to amend its nursing home rules to comply with 33 V.S.A. § 7306.

The text of the proposed rule is available [here](#).

The Schedule of Public Hearing and Public Comment Period is available [here](#).

