

S. 529, The Incapacitated Person's Legal Protection Act

- Teri Schiavo is subject to an order that her feeding tubes will be disconnected on March 18, 2005 at 1p.m.
- The Senate needs to act this week, before the Budget Act is pending business, or Terri's family will not have a remedy in federal court.
- This is an important moral issue and the pro-life base will be excited that the Senate is debating this important issue.
- This is a great political issue, because Senator Nelson of Florida has already refused to become a cosponsor and this is a tough issue for Democrats.
- The bill is very limited and defines custody as "those parties authorized or directed by a court order to withdraw or withhold food, fluids, or medical treatment."
- There is an exemption for a proceeding "which no party disputes, and the court finds, that the incapacitated person while having capacity, had executed a written advance directive valid under applicable law that clearly authorized the withholding or withdrawal of food or fluids or medical treatment in the applicable circumstances."
- Incapacitated persons are defined as those "presently incapable of making relevant decisions concerning the provision, withholding or withdrawal of food fluids or medical treatment under applicable state law."
- This legislation ensures that individuals like Terri Schiavo are guaranteed the same legal protections as convicted murderers like Ted Bundy.