

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2559. Surgery and Shock Therapy; Hazardous Treatment.

(a) Persons have a right to refuse surgery for emergency or non-emergency purposes unless the patient has been found to lack capacity to consent to treatment by a court of law. If the patient has been declared incompetent or to lack capacity to consent to treatment, then consent pursuant to law shall be obtained before any surgery can be performed.

(b) Persons have a right to not be subjected to treatment procedures such as lobotomy, electro-convulsive treatment, aversive stimuli or other unusual or hazardous treatment procedures without their express and informed consent after consultation with counsel or an interested party of the patient's choice. If the patient has been declared incompetent or to lack capacity to consent to treatment, then consent pursuant to law must be obtained before any such treatment can be performed.

Source: PL 8-38, § 9.