

75-2a-121 Reciprocity -- Application of former provisions of law.

Unless otherwise provided in the health care directive:

- (1) a health care provider or health care facility may, in good faith, rely on any health care directive, power of attorney, or similar instrument:
 - (a) executed in another state; or
 - (b) executed prior to January 1, 2008, in this state under the provisions of Chapter 2, Part 11, Personal Choice and Living Will Act;
- (2) a health care directive executed under the provisions of this chapter shall be governed pursuant to the provisions of this chapter that were in effect at that time, unless it appears from the directive that the declarant intended the current provisions of this chapter to apply; and
- (3) the health care directive described in Subsection (1) is presumed to comply with the requirements of this chapter.

Amended by Chapter 107, 2008 General Session