

# Does your State have a Next of Kin Statute?

*If your hospital is located in one of these six states, there is a specific statute covering the time frame in which your hospital should be making next of kin notifications. NOK statues exist in California, Hawaii, Illinois, Minnesota, Texas and Utah.*

*In Minnesota, the statute came about when the son of a State Representative's constituent was admitted to the hospital in a non-responsive state and remained at the hospital for several days, but no family was contacted. The young man didn't survive and the Legislator was concerned that the family was not given an opportunity to be involved in his care.*

*Even though the best way to comply with the law is to follow the materials in this Kit, we've included links to each law, to update you on your state's specific statutes.*

## CALIFORNIA



Chapter 12 (commencing with Section 1795) to Division 2 of the Health and Safety Code, relating to care facilities Sec. 25. Surrogate decision making.

[ftp://www.leginfo.ca.gov/pub/01-02/bill/sen/sb\\_0751-0800/sb\\_751\\_bill\\_20010924\\_chaptered.pdf](ftp://www.leginfo.ca.gov/pub/01-02/bill/sen/sb_0751-0800/sb_751_bill_20010924_chaptered.pdf)

## HAWAII



Hawaii State Statutes §327E-5 Health Care Decisions Surrogates

[http://www.capitol.hawaii.gov/hrscurrent/vol06\\_c0321-0344/hrs0327e/hrs\\_0327e-0005.htm](http://www.capitol.hawaii.gov/hrscurrent/vol06_c0321-0344/hrs0327e/hrs_0327e-0005.htm)

## ILLINOIS



Illinois Code 755 ILCS 40/25 from Ch. 110 1/2, Par. 851 25

<http://www.legis.state.il.us/legislation/ilcs/documents/075500400k25.htm>

## MINNESOTA



Minnesota Statutes 1999 144.651 Sub. D 10

<http://www.revisor.leg.state.mn.us/stats/144/651.html>

## TEXAS



Texas Health and Safety Code Title 4 Subtitle F Chapter 313 Sect. 313.005

<http://faculty.smu.edu/tmayo/txhscode313.htm>

## UTAH



Utah State Statutes R432-100-16-4

<http://www.rules.utah.gov/publicat/code/r432/r432-100.htm#T16>