

Resolution to Repeal the Anti-Life Ten-Day Rule

Whereas, every year in Texas, an unreported number of vulnerable patients of every age—such as 1-year-old Tinslee Lewis of Fort Worth, 46-year-old Chris Dunn of Houston, and 61-year-old Carolyn Jones of Beaumont—are victims of the unethical, unconstitutional, and unprecedented 10-Day Rule in the Texas Advance Directives Act;

Whereas, Section 166.046, Texas Health and Safety Code, contains the anti-Life Ten-Day Rule which enables physicians and hospitals to unilaterally withhold or withdraw a patient’s basic Life-Sustaining Treatment against the patient or patient’s family’s will without any opportunity for appeal; and

Whereas, the term “Life-Sustaining Treatment” refers only to basic healthcare services such as a ventilator, dialysis, and medical provisions that simply sustain the life of the patient, and does not include extraordinary health care procedures or interventions akin to surgery or chemotherapy; and

Whereas, the 2018 Platform of the Republican Party of Texas asserts that “We also support legislation repealing the unethical ‘Ten-Day Rule’ in Section 166.046, Health and Safety Code, which allows physicians to withdraw basic life-sustaining treatment (like a ventilator) after an impending countdown” (Plank 264); and

Whereas, no other state has such an egregious and unethical law that violates the patient’s Right to Life by handing over such critical and personal medical decisions to physicians and hospital committees comprised of strangers, rather than relying on the patient’s expressed medical decision, written directive, or designated surrogate decision-maker; and

Whereas, the 2018 Platform of the Republican Party of Texas asserts that “All innocent human life must be respected and safeguarded from fertilization to natural death” (Plank 324); and

Whereas, one of the 2018 Legislative Priorities of the Republican Party of Texas was opposition to abortion because of our “Pro-Life” values, however the anti-Life Ten-Day Rule represents another attack on innocent human life that should be opposed by the party of Life;

Therefore, be it resolved that the Republican Party of _____ County recommends the Legislative Priorities Committee of the State Convention re-adopt as a Legislative Priority for the 87th Legislative Session the Pro-Life priority, and include therein a call for the Texas Legislature to repeal the unethical, unconstitutional, unprecedented, and anti-Life Ten-Day Rule, and replace it with a truly Life-affirming law that requires that physicians adhere to a patient or surrogate’s medical decision about Life-Sustaining Treatment and which provides for physicians who disagree with the patient’s decision to transfer the patient to another physician or facility that will honor the decision to continue Life-Sustaining Treatment, guaranteeing Due Process and the Right to Life for vulnerable Texas patients like Tinslee Lewis, Carolyn Jones, and Chris Dunn.

Adopted this _____ day of _____, 2020, at the Precinct Convention of Precinct # _____ of the _____ County Republican Party of Texas.