

intent. The intent is somebody that has an interest, again, as developed by case law.

SENATOR LANDIS: Let me close with one last question and then I think we can get on to the voting on the amendments. With respect...and let's loop back up to our topic of the designation of, let's say, witnesses and the attorney in fact. In the event you are a health care provider, a hospital, in the event you are a doctor, given a copy of a durable power...

SPEAKER BAACK: Time.

SENATOR LANDIS: Thank you.

SPEAKER BAACK: You're welcome. Anyone else wishing to speak on this issue, on the amendment to the amendment by Senator Lindsay? Seeing no one, Senator Lindsay, would you like to close on your amendment to the amendment?

SENATOR LINDSAY: Thank you, Mr. Speaker. I would given Senator Landis the first couple of minutes to finish his question (interruption).

SPEAKER BAACK: Senator Landis.

SENATOR LANDIS: I will make this quick. Who checks what burden is there upon a health care provider or a doctor to ensure that the technical nature of the instrument that you've compiled here has been met? Does the doctor bear a burden to see to it that the witness list is appropriately done, if they meet the statutory standards, or the like? What if they act with no knowledge...either with knowledge that it's not true or...or indifference to whether or not it's been appropriately done, is there a chance for a collateral attack and thereby start this long and relatively cumbersome process?

SENATOR LINDSAY: The standard is whether...is it a good faith standard which, obviously, if the doc knows that the individual didn't sign it and that it was a forgery and that the witnesses were Daffy Duck and Mickey Mouse, it's clear that he can't...he can't follow that. If it's...if he has knowledge that the witnesses are...that it's technically wrong, then he's got a problem with it. If...if he has indifference to something major that probably would not...if he didn't look at the name, for example, that appeared on the durable power, that probably does