

(iii) A parent, but, if not alive or not competent, then;

(iv) A brother or sister who is at least 18 years old, but, if not alive or not competent, then;

(v) A guardian.

(3) This subsection does not apply if the decedent has given actual notice of any objection.

(4) Notice of an objection under this subsection shall be recorded in the decedent's medical record.

(5) The hospital administrator or a designee of the hospital administrator and the representative of the deceased patient are entitled to protection from civil and criminal liability as provided in § 4-508(b) of the Estates and Trusts Article.

(b) In all discussions concerning donations of organs and tissues, the hospital administrator or a designee of the administrator shall show reasonable discretion and sensitivity:

- (1) To the circumstances of the family of the decedent;
- (2) To the religious beliefs of the decedent; and
- (3) To the nonsuitability for organ or tissue donation of the decedent.

(c) When a hospital administrator or a designee of the administrator makes a request under subsection (a)(1) of this section, the administrator or representative shall:

(1) Document the request and its disposition by having the individuals described in subsection (a)(1) of this section sign a consent form or give a witnessed telegraphic, witnessed telephonic, or recorded consent to the donation.

(2) Note the request and its disposition in the decedent's medical record or death certificate.

(D) A HOSPITAL MAY NOT BILL THE ESTATE OF THE DECEDENT, A SURVIVING SPOUSE OF THE DECEDENT, ANY HEIRS OF THE DECEDENT, OR AN INSURER OF THE DECEDENT FOR THE COSTS ASSOCIATED WITH THE REMOVAL OF ALL OR ANY OF THE DECEDENT'S ORGANS OR TISSUES FOR THE PURPOSE OF AN ANATOMICAL DONATION.

[(d)](E) After consultation with the Maryland Hospital Association, Inc., the Maryland Organ Procurement Center, the Medical and Chirurgical Faculty of the State of Maryland, the Maryland Tissue Bank, Inc., the Health Facilities Association of Maryland, and Tissue Banks International, the Secretary shall publish guidelines designed to facilitate implementation of this section, including guidelines for recording objections under subsection (a) of this section.