

## CHAPTER 693

(House Bill 104)

AN ACT to add new Section 54F to Article 43 of the Annotated Code of Maryland (1971 Replacement Volume and 1971 Supplement), title "Health," subtitle "Miscellaneous Provisions," to follow immediately after Section 54E thereof, to provide a definition of when a person will be considered medically and legally dead.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 54F be and it is hereby added to Article 43 of the Annotated Code of Maryland (1971 Replacement Volume and 1971 Supplement), title "Health," subtitle "Miscellaneous Provisions," to follow immediately after Section 54E thereof, and to read as follows:

54F.

(a) *A person will be considered medically and legally dead if, in the opinion of a physician, based on ordinary standards of medical practice, there is the absence of spontaneous respiratory and cardiac function and, because of the disease or condition which caused, directly or indirectly, these functions to cease, or because of the passage of time since these functions ceased, attempts at resuscitation are considered hopeless; and, in this event, death will have occurred at the time these functions ceased; or*

(b) *A person will be considered medically and legally dead if, in the opinion of a physician, based on ordinary standards of medical practice AND BECAUSE OF A KNOWN DISEASE OR CONDITION, there is the absence of spontaneous brain function; and if based on ordinary standards of medical practice, during reasonable attempts to either maintain or restore spontaneous circulatory or respiratory function in the absence of spontaneous brain function, it appears that further attempts at resuscitation or supportive maintenance will not succeed, death will have occurred at the time when these conditions first coincide. Death is to be pronounced before artificial means of supporting respiratory and circulatory function are terminated and before any vital organ is removed for purposes of transplantation.*

(c) *These alternative definitions of death are to be utilized for all purposes in this State, including the trials of civil and criminal cases, any laws to the contrary notwithstanding.*

SEC. 2. *And be it further enacted,* That this Act will take effect July 1, 1972.

Approved May 31, 1972.

## CHAPTER 694

(House Bill 223)

AN ACT to add new Section 462A to Article 27 of the Annotated Code of Maryland (1971 Replacement Volume and 1971 Supple-