

[ (3) ] (2) The minor seeks treatment or advice concerning venereal disease, pregnancy or contraception not amounting to sterilization.

[ (4) ] (3) In the judgment of a physician treating a minor, the obtaining of consent OR THE NOTIFICATION of any other person would result in such delay of treatment as would adversely affect the life or health of the minor.

[ (5) ] (4) The minor seeks treatment or advice concerning any form of drug abuse as defined in Section 2 (d) of Article 43B of the Annotated Code.

(c) [Upon] EXCEPT IN THE CASE OF ABORTION, UPON the advice and direction of a treating physician or if more than one, any one of them, member of the medical staff of a hospital, public clinic or physician licensed to practice medicine may, but shall not be obligated to, inform the spouse, parent, custodian, or guardian of a minor in the circumstances enumerated in subsection (a) hereof, as to the treatment given or needed, and the information may be given to or withheld from the spouse, parent, custodian or guardian without the consent of the minor patient and over the express refusal of the minor patient providing the information; the providing or withholding of the information rests in the sole discretion of a member of the medical staff of the hospital or public clinic or the physician licensed to practice medicine, as the case may be.

SECTION 2. AND BE IT FURTHER ENACTED, That new Section 135(e) be and it is hereby added to Article 43 - Health, of the Annotated Code of Maryland (1971 Replacement Volume and 1976 Supplement) to read as follows:

Article 43 - Health

135.

(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, NO ABORTION SHALL BE PERFORMED UPON AN UNMARRIED MINOR FEMALE WITHOUT PRIOR NOTIFICATION OF PARENT OR GUARDIAN, UNLESS THE MINOR IS LIVING APART FROM HER PARENT OR GUARDIAN AND A REASONABLE EFFORT TO NOTIFY THEM HAS BEEN UNSUCCESSFUL. A--RECEIPT--FOR--REGISTERED--OR--CERTIFIED--MAIL--A RECEIPT THAT A REGISTERED OR CERTIFIED LETTER WAS MAILED ATTACHED TO A COPY OF A--THE NOTICE LETTER SENT TO SUCH PARENT OR GUARDIAN AT HIS OR HER LAST KNOWN ADDRESS SHALL BE CONCLUSIVE EVIDENCE OF NOTICE OR ATTEMPTED NOTICE REQUIRED BY THIS SUBSECTION. NOTIFICATION MAY BE WAIVED IF THE PHYSICIAN IN HIS PROFESSIONAL JUDGMENT, BELIEVES THAT NOTIFICATION MIGHT REASONABLY BE EXPECTED TO LEAD TO ABUSE, EITHER PHYSICALLY OR EMOTIONALLY, OF THE PREGNANT MINOR--; HOWEVER, THERE MAY NOT BE CRIMINAL OR CIVIL LIABILITY ON THE PART OF A PHYSICIAN FOR HIS DECISION TO WAIVE THIS