

[(5)](V) The representative of the appropriate organ, tissue, or eye recovery agency or the designated requestor 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.

[(e)](5) In all discussions concerning donations of organs and tissues, the representative of the appropriate organ, tissue, or eye recovery agency or the designated requestor shall show reasonable discretion and sensitivity:

[(1)](I) To the circumstances of the family of the decedent;

[(2)](II) To the religious beliefs of the decedent; and

[(3)](III) To the nonsuitability for organ or tissue donation of the decedent.

[(f)](6) [(1)](i) When a representative of the appropriate organ, tissue, or eye recovery agency or a designated requestor makes a request under [subsection (d)(1) of this section] PARAGRAPH (4)(I) OF THIS SUBSECTION, the representative or designated requestor shall document the request and its disposition by having the appropriate individual described in [subsection (d)(2) of this section] PARAGRAPH (4)(II) OF THIS SUBSECTION sign a consent form or give a witnessed telegraphic, witnessed telephonic, or recorded consent to the donation.

[(2)](II) Hospital personnel shall note the request and its disposition in the decedent's medical record or death certificate.

[(g)](7) 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.

[(h)](8) After consultation with the Maryland Hospital Association, Inc., the Medical and Chirurgical Faculty of the State of Maryland, the Transplant Resource Center of Maryland, Inc., the Washington Regional Transplant Consortium, the Medical Eye Bank of Maryland, the Lions of District 22-C Eye Bank and Research Foundation, Incorporated, the Health Facilities Association of Maryland, and Tissue Banks International, the Secretary shall publish guidelines designed to implement this [section] SUBSECTION, including guidelines:

[(1)](I) Requiring that, at or near the time of each individual death in a hospital, the hospital contact by telephone an appropriate organ, tissue, or eye recovery agency to determine the suitability of the individual for organ, tissue, and eye donation;

[(2)](II) Requiring that each hospital designate a person to make the contact; and

[(3)](III) Identifying the information that the person designated by the hospital shall have available before making the contact.