

WHEREAS, The application of some such procedures to an individual suffering a difficult and uncomfortable process of dying may cause loss of patient dignity and secure only continuation of a precarious and burdensome prolongation of life; and

WHEREAS, Rights of patients to decide their own treatment should be respected even after they are unable to actively participate in such decisions; and

WHEREAS, Nothing in this Act is intended to condone, authorize, or approve mercy killing or to permit any affirmative or deliberate act or omission to end life other than to permit a person to select the natural process of dying as provided in this Act; and

WHEREAS, This Act is intended to ensure that such basic measures as nursing care, nutrition, and hydration will be maintained out of respect for the human dignity of every patient; and

WHEREAS, This Act shall create no presumption concerning the intent of any person who has not executed a declaration to consent to the use or withholding of life-sustaining procedures in the event of a terminal condition; and

WHEREAS, Under current law an individual may have difficulty exercising the right to control decisions relating to life-extending procedures because of uncertainty in the medical profession concerning the legality of application or withholding of such procedures even where a competent patient has evidenced a desire that these procedures be applied or withheld; and

WHEREAS, There is a need for recognition of the dignity which patients have a right to expect in making decisions concerning their own medical treatment; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

SUBTITLE 6. LIFE-SUSTAINING PROCEDURES

5-601.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "ATTENDING PHYSICIAN" MEANS A PHYSICIAN WHO HAS BEEN SELECTED BY OR ASSIGNED TO, AND HAS PRIMARY RESPONSIBILITY FOR THE TREATMENT AND CARE OF, A DECLARANT.

(C) --"COMATOSE-PATIENT"--MEANS-AN-INDIVIDUAL-