

(A) ANY INDIVIDUAL QUALIFIED TO MAKE A WILL UNDER § 4-101 OF THE ESTATES AND TRUSTS ARTICLE MAY EXECUTE A DECLARATION, AS PROVIDED IN PARAGRAPH (B) OF THIS SECTION, DIRECTING THE WITHHOLDING OR WITHDRAWAL OF LIFE-SUSTAINING PROCEDURES UNDER THIS SUBTITLE. THE DECLARATION SHALL BE:

(1) VOLUNTARY;

(2) DATED AND IN WRITING;

(3) SIGNED BY THE DECLARANT OR, IF AT THE DECLARANT'S EXPRESSED DIRECTION AND IN THE DECLARANT'S PRESENCE, BY ANOTHER INDIVIDUAL ON BEHALF OF THE DECLARANT;

(4) EXECUTED IN THE PRESENCE OF AND ATTESTED BY AT LEAST 2 WITNESSES EACH OF WHOM, AT THE TIME OF EXECUTION, IS AT LEAST 18 YEARS OLD AND IS NOT:

(I) AN INDIVIDUAL WHO SIGNED THE DECLARATION AT THE DIRECTION AND ON BEHALF OF THE DECLARANT UNDER PARAGRAPH (3) OF THIS SUBSECTION;

(II) RELATED TO THE DECLARANT BY BLOOD OR MARRIAGE WITHIN A DEGREE LISTED UNDER § 2-202 OF THE FAMILY LAW ARTICLE;

(III) EITHER A CREDITOR OF THE DECLARANT OR KNOWINGLY ENTITLED TO ANY PORTION OF THE ESTATE OF THE DECLARANT UNDER ANY EXISTING TESTAMENTARY INSTRUMENT OF THE DECLARANT OR KNOWINGLY ENTITLED TO ANY OTHER FINANCIAL INTEREST DERIVING FROM THE DECLARANT; OR

(IV) FINANCIALLY OR OTHERWISE RESPONSIBLE FOR THE DECLARANT'S MEDICAL CARE OR AN EMPLOYEE OF ANY SUCH PERSON.

(B) (1) A DECLARANT IS RESPONSIBLE FOR NOTIFYING THE ATTENDING PHYSICIAN OF THE EXISTENCE OF THE DECLARATION EITHER DIRECTLY OR THROUGH ANOTHER INDIVIDUAL.

(2) NOTICE MAY BE GIVEN BY DELIVERY OF THE DECLARATION OR A COPY OF THE DECLARATION TO THE ATTENDING PHYSICIAN.

(3) THE ATTENDING PHYSICIAN SHALL MAKE THE DECLARATION OR OTHER WRITTEN DOCUMENTS CONTAINING A DECLARATION IN CONFORMANCE WITH THE PROVISIONS OF PARAGRAPH (C)(1) OF THIS SECTION A PART OF THE DECLARANT'S MEDICAL RECORDS.

(B) (C) (1) THE DECLARATION SHALL BE SUBSTANTIALLY IN THE FOLLOWING FORM:

"DECLARATION