

(A) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (B) AND (C) OF THIS SECTION AND IF THE DECLARANT IS UNABLE TO GIVE DIRECTIONS REGARDING THE USE OF LIFE-SUSTAINING PROCEDURES, THE ATTENDING PHYSICIAN OF A DECLARANT IN A TERMINAL CONDITION SHALL PROMPTLY:

(1) TAKE THE ACTIONS NECESSARY TO PROVIDE FOR THE CERTIFICATION REQUIRED FOR THE DECLARANT TO BECOME A QUALIFIED PATIENT; AND

(2) UPON CERTIFICATION, IMPLEMENT THE DECLARATION.

(B) AN ATTENDING PHYSICIAN WHO DOES NOT COMPLY WITH SUBSECTION (A) OF THIS SECTION SHALL MAKE EVERY REASONABLE EFFORT TO TRANSFER THE DECLARANT TO ANOTHER PHYSICIAN.

(C) SUBSECTION (A) OF THIS SECTION DOES NOT APPLY IF THE ATTENDING PHYSICIAN KNOWS THAT THE DECLARATION HAS BEEN REVOKED OR FOR SO LONG AS THE PHYSICIAN HAS A REASONABLE BASIS FOR BELIEVING THAT THE DECLARATION MAY HAVE BEEN REVOKED.

(D) THE ATTENDING PHYSICIAN SHALL PLACE IN THE DECLARANT'S MEDICAL RECORDS THE EVIDENTIARY BASIS FOR THE PHYSICIAN'S CONCLUSION:

(1) THAT A VALID AND UNREVOKED DECLARATION EXISTS IF THE PHYSICIAN ACTS UNDER SUBSECTION (A) OF THIS SECTION; OR

(2) THAT THE DECLARATION HAS BEEN REVOKED OR MAY HAVE BEEN REVOKED IF THE PHYSICIAN ACTS UNDER SUBSECTION (C) OF THIS SECTION.

5-605.

THE DECLARATION OF A QUALIFIED PATIENT TO WITHHOLD OR WITHDRAW LIFE-SUSTAINING PROCEDURES MAY NOT BE IMPLEMENTED:

(1) BY THE DENIAL OF FOOD, WATER, OR OF SUCH MEDICATION AND MEDICAL PROCEDURES AS ARE NECESSARY TO PROVIDE COMFORT CARE AND TO ALLEVIATE PAIN; OR

(2) IF THE QUALIFIED PATIENT IS PREGNANT.

5-606.

IN THE ABSENCE OF EVIDENCE TO THE CONTRARY, A DECLARATION WHICH, ON ITS FACE, SATISFIES THE REQUIREMENTS OF § 5-602 OR § 5-611 OF THIS SUBTITLE IS PRESUMED TO BE VALID.

5-607.

(A) EXCEPT AS PROVIDED IN ~~SUBSECTION (B)~~ SUBSECTION (B) OR SUBSECTION (C) OF THIS SECTION, ON NOTIFICATION OF THE EXISTENCE OF A VALID DECLARATION ANY PERSON WHO CAUSES A FAILURE TO COMPLY WITH THE PROVISIONS OF § 5-604 MAY BE HELD CIVILLY LIABLE.