

~~WHEREAS, This law is intended to provide standards for decision making about life sustaining procedures but not to suggest what the decision of any individual should be; and~~

~~WHEREAS, It is the intent of the General Assembly that this law advance the interests and wishes of the individuals whose life and health may be affected by its provisions, not the interests and wishes of others, including those who are granted authority under this law to act on behalf of an individual; now, therefore;~~

~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 5-601, 5-603, 5-606, 5-608, 5-609, 5-613, 5-614, and the subtitle "Subtitle 6. Life Sustaining Procedures"; and 20-107 of Article Health—General of the Annotated Code of Maryland be repealed.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

~~Article—Health—General~~

~~TITLE 20A. HEALTH CARE DECISION MAKING AND ADVANCE MEDICAL DIRECTIVES~~

~~SUBTITLE 1. DEFINITIONS; LEGISLATIVE POLICY; MISCELLANEOUS PROVISIONS~~

~~20A-101. DEFINITIONS.~~

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

~~(B) "ADVANCE MEDICAL DIRECTIVE" MEANS:~~

~~(1) A VALID HEALTH CARE DECISION MADE UNDER SUBTITLE 3 OF THIS TITLE;~~

~~(2) A VALID LIVING WILL EXECUTED UNDER SUBTITLE 4 OF THIS TITLE;~~

~~OR~~

~~(3) A VALID POWER OF ATTORNEY FOR HEALTH CARE EXECUTED UNDER SUBTITLE 5 OF THIS TITLE.~~

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

~~(D) "BEST INTEREST" MEANS THAT THE BENEFITS TO THE INDIVIDUAL RESULTING FROM A DECISION ABOUT TREATMENT OUTWEIGH THE BURDENS TO THE INDIVIDUAL RESULTING FROM THAT DECISION, TAKING INTO ACCOUNT:~~

~~(1) THE EFFECT OF THE MEDICAL CONDITION OF THE INDIVIDUAL ON THE PHYSICAL, EMOTIONAL, AND COGNITIVE FUNCTIONS OF THE INDIVIDUAL;~~

~~(2) THE DEGREE OF PHYSICAL PAIN OR DISCOMFORT RESULTING FROM THE MEDICAL CONDITION OF THE INDIVIDUAL, THE TREATMENT, OR THE WITHHOLDING OR WITHDRAWAL OF TREATMENT;~~