

~~SUBTITLE 4. HEALTH CARE DECISION MAKING DOCUMENTS~~

~~PART I. GENERAL PROVISIONS~~

~~20A-401. "HEALTH CARE DECISION MAKING DOCUMENT" DEFINED.~~

~~IN THIS SUBTITLE, "HEALTH CARE DECISION MAKING DOCUMENT" MEANS:~~

- ~~(1) A LIVING WILL; OR~~
- ~~(2) A POWER OF ATTORNEY FOR HEALTH CARE DECISIONS.~~

~~20A-402. EXECUTION OF HEALTH CARE DECISION MAKING DOCUMENTS~~

~~(A) A COMPETENT INDIVIDUAL WHO IS AT LEAST 18 YEARS OLD OR WHO HAS THE SAME CAPACITY AS AN ADULT TO CONSENT TO MEDICAL TREATMENT MAY EXECUTE A HEALTH CARE DECISION MAKING DOCUMENT.~~

~~(B) A HEALTH CARE DECISION MAKING DOCUMENT SHALL BE:~~

- ~~(1) DATED AND SIGNED BY THE INDIVIDUAL; OR~~
- ~~(2) IF THE INDIVIDUAL IS UNABLE TO DATE AND SIGN THE HEALTH CARE DECISION MAKING DOCUMENT, DATED AND SIGNED BY ANOTHER INDIVIDUAL:~~

- ~~(I) AT THE EXPRESS DIRECTION OF THE INDIVIDUAL; AND~~
- ~~(II) IN THE PRESENCE OF THE INDIVIDUAL; AND~~

- ~~(3) (I) ACKNOWLEDGED AND NOTARIZED; OR~~
- ~~(II) SIGNED BY TWO WITNESSES EACH OF WHOM IS AT LEAST 18 YEARS OLD.~~

~~20A-403. REVOCATION OF HEALTH CARE DECISION MAKING DOCUMENTS.~~

~~(A) AN INDIVIDUAL WHO HAS EXECUTED A HEALTH CARE DECISION MAKING DOCUMENT MAY REVOKE THE DECISION MAKING DOCUMENT AT ANY TIME BY:~~

- ~~(1) A WRITTEN OR ORAL STATEMENT OR OTHER FORM OF COMMUNICATION AS PROVIDED IN SUBSECTION (B) OR (C) OF THIS SECTION;~~
- ~~(2) DESTROYING THE HEALTH CARE DECISION MAKING DOCUMENT;~~
- ~~(3) MARKING, BURNING, TEARING, OR OTHERWISE ALTERING, DEFACING, OR DAMAGING THE HEALTH CARE DECISION MAKING DOCUMENT IN A MANNER INDICATING THE INTENTION TO REVOKE IT; OR~~
- ~~(4) EXECUTING A LATER HEALTH CARE DECISION MAKING DOCUMENT.~~

~~(B) A WRITTEN STATEMENT REVOKING A HEALTH CARE DECISION MAKING DOCUMENT IS EFFECTIVE IF IT IS SIGNED BY THE DECLARANT.~~

~~(C) A FORM OF COMMUNICATION OTHER THAN A WRITTEN STATEMENT REVOKING A HEALTH CARE DECISION MAKING DOCUMENT IS EFFECTIVE IF IT IS:~~