

- (1) ~~MADE TO:~~
  - (I) ~~THE ATTENDING PHYSICIAN OF THE INDIVIDUAL; OR~~
  - (II) ~~TWO OTHER HEALTH CARE PRACTITIONERS; AND~~
- (2) ~~CERTIFIED.~~

~~20A-404. PRESUMPTION OF VALIDITY.~~

~~IN THE ABSENCE OF EVIDENCE TO THE CONTRARY, A HEALTH CARE DECISION MAKING DOCUMENT WHICH, ON ITS FACE, SATISFIES THE REQUIREMENTS OF THIS SUBTITLE IS PRESUMED TO BE VALID.~~

~~PART II — LIVING WILLS~~

~~20A-405. "QUALIFIED PATIENT" DEFINED.~~

~~IN THIS SUBTITLE, "QUALIFIED PATIENT" MEANS A DECLARANT WHO IS IN:~~

- (1) ~~A TERMINAL CONDITION; OR~~
- (2) ~~A PERSISTENT VEGETATIVE STATE.~~

~~[§ 602.] 20A-406. LIVING WILL; IN GENERAL.~~

~~[(a) Any individual qualified to make a will under § 4-101 of the Estates and Trusts Article may execute a declaration, as provided in subsection (c) 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 financial benefit by reason of the death of the declarant; or~~
  - (iv) ~~Financially or otherwise responsible for the declarant's medical care or an employee of any such person or institution.~~